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ALLEGATIONS CONCERNING DR. KURT WALDHEIM

ORIGINAL
HF-224

HEARING

BEFORE THE

SUBCOMMITTEE ON HUMAN RIGHTS
AND INTERNATIONAL ORGANIZATIONS

OF THE

COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

NINETY-NINTH CONGRESS

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ALLEGATIONS CONCERNING DR. KURT WALDHEIM

TUESDAY, APRIL 22, 1986

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
SUBCOMMITTEE ON HUMAN RIGHTS AND
INTERNATIONAL ORGANIZATIONS,
Washington, DC.

The subcommittee met, at 3:35 p.m., in room 2318, Rayburn House Office Building, Hon. Gus Yatron (chairman of the subcommittee) presiding.

Mr. YATRON. The Subcommittee on Human Rights and International Organizations meets today to hear testimony from private witnesses about allegations concerning former U.N. Secretary General Dr. Kurt Waldheim.

The purpose of this hearing is to conduct a responsible public inquiry into accusations made by the World Jewish Congress that Dr. Waldheim covered up his past affiliations with Nazi organizations, and that he may have been involved in war crimes.

Although membership in a Nazi association many years ago does not constitute the basis for accusing someone of being a war criminal, documented evidence and subsequent statements made by Dr. Waldheim raise serious questions about Dr. Waldheim's credibility and his activities during World War II.

In 1980, as Secretary General of the United Nations, Dr. Waldheim, in a letter to Congressman Solarz, stated that he was never associated, and I quote, ". . . in any way with the Nazi Youth Movement." Dr. Waldheim went on to say in his letter that he was wounded on the eastern front and was incapacitated for further military service and resumed his law studies in Vienna for the remainder of World War II.

Dr. Waldheim's 1980 letter contradicted information contained in documents discovered by the World Jewish Congress, which included material from the U.S. Archives, showing that he was associated with Nazi organizations and served in Greece and Yugoslavia on the staff of Army Group E during that period when Dr. Waldheim asserted that he was in Vienna. It is well known that Army Group E was under the command of convicted Nazi war criminal, Gen. Alexander Loehr. These revelations compelled Dr. Waldheim to revise his position and admit that he had misstated his whereabouts during the war.

To make matters seem all the more questionable, Dr. Waldheim has revised his statements about having knowledge about the de-

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portation of Jews from Salonika, Greece, while serving in that area. More importantly, Dr. Waldheim recently has changed the date on which he was to have arrived in Greece.

In his April 6 memo, Dr. Waldheim claimed to have arrived in Arsakli, Greece, in April 1943. This would have put him in or around Salonika during the height of the deportation of over 40,000 Greek Jews to Auschwitz death camps.

These deportations took place from mid-March to July 1943. Dr. Waldheim's April 12 memo now claims that he arrived in Greece in July 1943. These revisions certainly serve to undermine confidence in Dr. Waldheim's credibility.

For several reasons, this is an extremely sensitive issue. Dr. Waldheim is a candidate for the Austrian Presidency, and with the election set for May 4, these allegations have been met with resentment by many who feel that American organizations are interfering in the internal affairs of Austria.

In light of these concerns, I would like to state categorically that it is not this subcommittee's intention to influence the upcoming elections in any way. The United States has an excellent relationship with Austria, and, in that context, the Congress should proceed with caution in this investigation.

Before we hear from today's witnesses, I think it is absolutely essential to note that this is a congressional hearing to gather information about these allegations. It is not a judicial proceeding. Therefore, a final determination as to whether Dr. Waldheim committed war crimes will not be made by this subcommittee.

To that end, I request that all witnesses base their observations on the facts, and that they explicitly address the implications of this case for U.S. policy.

And before I call on our first witness today, I would just like to say that we have a limited amount of time here. We have to be out of this room by 5:30. So, I am going to ask the members to try to keep their questions as brief as possible so that we can try to ask as many questions as we possibly can.

Our first witness today is the man who put Micronesia on the map, Brooklyn's best, Hon. Stephen J. Solarz, a Member of the Congress from the State of New York. Congressman Solarz.

STATEMENT OF HON. STEPHEN J. SOLARZ, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Mr. SOLARZ. Thank you very much, Mr. Chairman. I want to commend you and the other members of the subcommittee for conducting this hearing this afternoon. I know it wasn't something which was easy to do. It took a certain amount of courage as well as commitment on your part in particular, Mr. Chairman. And I commend you for it.

Many of the participants involved with this investigation in the United States have been accused of meddling in another country's domestic affairs. I am sure that some people will attack this subcommittee's hearing today on the very same grounds.

But an examination of Kurt Waldheim's record is occurring at this time, not because the Austrian election is imminent, but because information Mr. Waldheim has long sought to suppress is

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only now coming before us. Any questions about the timing of this hearing might best be addressed to Mr. Waldheim, who, for over four decades, covered up a crucial part of his war record.

The purpose of these inquiries into Mr. Waldheim's past is not to interfere with an Austrian Presidential election, but to ascertain the background and credibility of a man who held one of the international community's highest positions.

It is important for us to recognize, Mr. Chairman, that this case has significant implications for the United States. As a democratic nation pledged to honor and uphold the highest standards of international human rights, the United States cannot remain indifferent to Mr. Waldheim's misrepresentations about his wartime record.

Because of its jurisdiction, this subcommittee has a twofold need to investigate the matter. First, because of the obvious human rights questions raised in the investigation of a man who has been accused of knowingly participating in war crimes while a member of the German Army. And second, because the subject of this investigation is so inextricably tied to the United Nations, an international organization over which this subcommittee has jurisdiction and to which the United States contributes nearly 25 percent of the annual budget.

This subcommittee can use the investigation as one aspect of a continuing examination of an American involvement with the United Nations. Our purpose today however, Mr. Chairman, is not to sit in judgment on Kurt Waldheim's stewardship of the United Nations during his 12-year tenure, let alone to make a specific examination of the failures of that body.

It is, instead, to sift through the morass of conflicting statements that Mr. Waldheim has issued, and determine what implications these revelations and responses have, both for our policy toward the United Nations, as well as for Mr. Waldheim.

My own involvement with the investigation into Mr. Waldheim's past goes back, as you have indicated in your opening statement, to 1980, when I wrote a letter to the then-Secretary General about allegations that had appeared in the American press concerning his wartime activities and his possible involvement with war crimes.

At that time Mr. Waldheim responded in a private letter to me by calling such reports "slanders," by denying any involvement with the Nazi Youth Movement, and by stating that he and his family were actively anti-Nazi.

He also said that, "After being wounded on the Eastern Front * * *" where he was "* * * incapacitated for further service on the Front * * *" he "* * * resumed his law studies at Vienna University," graduating in 1944.

The clear and unmistakable impression of his letter was that he left the German military after 1941 and never returned to active service after being wounded on the Eastern Front. On the basis of recent reports, it is now clear that Kurt Waldheim, despite his denials and disclaimers, did return to active service in the German Army. At a time when he implied that he was engaged in the full-time study of law, he was actually serving on the Eastern Front, and in Salonika, Greece, under Gen. Alexander Loehr, a man who was hanged for his participation in war crimes.

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While the mere fact that Mr. Waldheim returned to active service does not by itself constitute an impropriety, it is particularly disturbing that Mr. Waldheim deliberately chose to obfuscate this part of his war record by inaccurately stating that he ended his military career in 1941. Since his earlier term of service on the Eastern Front was widely known and clearly had not been held against him when he was elected Secretary General of the United Nations, it is hard to understand why he decided in his private letter to me to cover up his additional military service.

His deception only serves to raise the possibility that he was engaged in activities that he did not want to become public, and which, if disclosed, would subject him to political embarrassment at best, and possible prosecution for involvement with war crimes at worst.

Sadly, when confronted with the fact that he chose to cover up the truth about his war service in both his private correspondence to me, as well as in his publicly published autobiography, Mr. Waldheim has so far failed to provide any type of a rational explanation for these actions.

On a recent television interview for example, appearing on the "60 Minutes" program in our own country, Mr. Waldheim apologized to me for misleading me in our earlier correspondence. In addition, Mr. Waldheim's son, who I gather will be testifying later today, Mr. Gerhard Waldheim, in a meeting with me in my office last week, also expressed his father's regrets for any misleading statements he might have made.

I was pleased to receive these apologies. But what I was more interested in was not an expression of regret for these actions, but a rational explanation for why Mr. Waldheim had misled me in the first place.

The fundamental question remains the same: Why did Mr. Waldheim cover up his military service in the period from 1941 to the end of the war after he had already acknowledged his previous years of military service, during the course of the war when he was on the Eastern Front?

The failure to provide a plausible explanation, Mr. Chairman, continues to suggest that he had a fear of the discovery of actions that he did not want known. Each day, as new information about his past has been learned, Mr. Waldheim has revised his defense.

First, Mr. Waldheim maintained that he had never participated in the Nazi Youth Movement. Documents show that he had in fact joined the NS-Studentenbund, the Nazi Student Union, in 1938. I am told that there is a difference between the Nazi Youth Movement and the Nazi Student Union. That strikes me as perhaps a distinction without a difference.

Earlier, Mr. Waldheim claimed he was studying law until the end of the war after being injured and incapacitated. Now, he admits to being on active military service from 1942 until the end of the war. Originally, Mr. Waldheim professed complete ignorance about the heinous crimes carried out by the Nazis. Now, he admits that he was aware of some of the atrocities that were occurring in the region where he was returned to active service in the Wehrmacht.

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Furthermore, instead of merely acknowledging the atrocities committed by the Nazis, he has sought to equate the monstrous Nazi crimes in the Balkans with actions against German troops. It is just this sort of moral blindness and selective amnesia that were indispensable elements in the tragedy that is the Holocaust.

Having changed his story so many times and only in response to emerging revelations in the press, Mr. Waldheim can hardly be surprised that his remaining defense, that he was not involved in war crimes, is not automatically accepted.

Mr. Waldheim still denies that he knew what was occurring just a short distance from his base near Salonika, a city whose population was one-third Jewish. Even though the town in which he was stationed had a panoramic view of Salonika and the Macedonian plains surrounding it, he claims not to have been aware of the daily train rides of death which cleansed this center of Greek Jewry of more than 96 percent of its 56,000 Jews, delivering them to a fate which is now well known, in the death camps.

While all this was happening, Mr. Chairman, Mr. Waldheim says he saw nothing, heard nothing, and knew nothing. Whether or not Mr. Waldheim actually engaged in war crimes, I do not know. What I do know is that the charges to that effect are not based on pure hypothetical speculation.

Files of the Yugoslavia War Crimes Commission contain serious enough allegations to warrant placing him on the "A" list of suspected war criminals, a designation that meant the Commission believed the evidence against him was strong enough that he should stand trial.

Of course, the fact that charges were filed does not necessarily mean that the charges are accurate. But given the previous self-serving misrepresentations and denials of Mr. Waldheim, we cannot simply accept his latest denial as despositive of the issue.

I will not go into the individual disclosures of Mr. Waldheim's wartime activities, as they are already in the public record and will be discussed this afternoon by the others. The evidence which has surfaced, however, has profound implications for the United States, possibly influencing our future role in this or other similar investigations that may arise. And it is to these questions that I would like, Mr. Chairman, in conclusion, to turn.

Clearly several important points can be raised, both about Mr. Waldheim and about our involvement with the United Nations specifically, and with human rights in general. At the very least these recent revelations show a leader who has misled the public and who shows a certain moral obtuseness and insensitivity, particularly on the question of human rights.

At the very worst they will show a man who has covered up an infamous past in a quest for glory and success. I believe that the revelations about Mr. Waldheim can lead us to several conclusions.

When I wrote to Mr. Waldheim in 1980, I also wrote to the Central Intelligence Agency in our own Government and asked them to undertake an investigation into Mr. Waldheim's past. Their response looked as if it had come off Mr. Waldheim's xerox machine. Their investigation was incompetent at best and indifferent at worst.

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At the very least, this entire incident should point out the need for more stringent reviews of the background of anyone who seeks a powerful position in an international organization and on which we have a vote of approval or denial.

It is astonishing to think that the United States could have failed to check the background of Kurt Waldheim before he assumed the post of Secretary General. Ours is a country that runs security checks on every employee at our mission in New York, from Ambassador to file clerk. Yet apparently, we did not do so, or at least did not do so thoroughly, with respect to a candidate for Secretary General.

The second conclusion that I think can be drawn from this investigation, Mr. Chairman, is that there needs to be a review of this case by an international tribunal. The impartiality of such an investigation is paramount.

Third, we must continue to press for our own Government's investigation into this matter. One action we can take is to institute a State Department investigation into what, if anything, our intelligence services actually did when investigating Mr. Waldheim before he was approved as U.N. Secretary General.

We can also urge the Justice Department to expedite its inquiry into making a determination into whether or not to bar Mr. Waldheim from entry into this country based on evidence that he may have ordered, incited, assisted, or otherwise participated in the persecution of any persons because of race, religion, national origin, or political opinion.

Finally Mr. Chairman, we need to determine what the Soviet Union and its allies knew about Mr. Waldheim at the time of his approval for the position of Secretary General and throughout his tenure. Clearly, there are profound implications for the United States, if it is shown that the Soviet Union had information about Mr. Waldheim which they could have used in any way to have put pressure on him or his actions while he was Secretary General of the United Nations.

The office of the Secretary General of the United Nations is too important for us to ignore the moral character of its incumbent. If the Secretary General is to command respect among nations of the world, he or she must be beyond reproach.

That was certainly true of Dag Hammarskjold. That was certainly true of U Thant. It is also true of Javier Perez de Cuellar. Sadly, it is now clear that it is not true of Kurt Waldheim. We cannot correct any mistake of the past, Mr. Chairman. But by learning from these errors we can work to create a better future.

I want to thank you very much for giving me the opportunity to testify at today's hearing.

Mr. YATRON. I want to thank our colleague, as usual, for a very eloquent statement.

Congressman Solarz, based on your findings and observations, can you state categorically that Dr. Kurt Waldheim is guilty of having committed Nazi war crimes?

Mr. SOLARZ. No. And I did not suggest that, Mr. Chairman, in my testimony. What I did say was that I can state categorically that Mr. Waldheim misled me in his private letter to me 6 years ago. I can state categorically that he has offered a series of chang-

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ing explanations for his war record. And, therefore, his credibility is very much in question.

I can also state categorically that there are serious accusations that have been made against him on the basis of his alleged participation in war crimes. But I cannot state categorically that he actually engaged in those crimes or committed them because that has yet to be determined before an appropriate tribunal.

Mr. YATRON. Do you think a formal U.S. investigation would impact that adversely on United States-Austrian relations?

Mr. SOLARZ. I don't think so, Mr. Chairman. I think that the Austrian people and other men and women of good will throughout the world could certainly understand why we would want to conduct this investigation. It clearly does have important implications for our policy toward the United Nations. There are potential implications for our administration of the existing laws.

As you well know, anyone who is believed to have been involved in any way in war crimes is supposed to be put on a watch list which is used to deny such individuals admission to the United States. And if there is reason to conclude that Mr. Waldheim did engage in war crimes, the law would require him to be put on such a list.

Now that we have discovered, albeit 40 years late, that serious allegations have been made against him, I think we have a responsibility to investigate them. They may turn out to be unfounded. It may turn out that the case cannot be proved. It may turn out that Mr. Waldheim can convincingly demonstrate that he is innocent of all of these allegations.

But I believe that until such a showing is made of his innocence, which has not yet been made, we do have a legitimate interest in investigating these charges.

Mr. YATRON. I thank our colleague. Mr. Ackerman, any questions? Mr. Smith, any questions? Mr. Lantos, any questions? We thank our colleague for being here and giving us the benefit of his views.

Mr. SOLARZ. Thank you very much, Mr. Chairman.

Mr. YATRON. Thank you. Our next two witnesses are Rabbi Marvin Hier, dean, Simon Wiesenthal Center, and a Mr. Eli Rosenbaum, general counsel of the World Jewish Congress.

I would like to ask all of the witnesses to please keep their oral statements to 10 minutes or less. This way we will have more time for the question and answer period. Of course, your entire written statements will be printed in the hearing record.

So, Rabbi Hier, we welcome you here. Anytime you are ready to proceed, you may go ahead, sir.

STATEMENT OF RABBI MARVIN HIER, DEAN, SIMON WIESENTHAL CENTER

Rabbi HIER. Mr. Chairman, in the interest of time my prepared statement I would like to put on the record.

Mr. YATRON. Without objection.

Rabbi HIER. And in order to save time, go to areas that have not been discussed by Congressman Solarz.

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First let me say, since I know that this matter will be raised later on, it should be established on the record that documents show that Gen. Alexander von Loehr was definitely involved in the implementation of deportations with reference to Jews from Salonika. Those documents can be found in the statements by the Italian general, General Giloso, in a written report to the Minister of War, where he declared that one day General von Loehr came to see him and asked him about the 900 Jews under his jurisdiction, and said to him, why don't you do with the 900 Jews what we have done with the Jews under my jurisdiction.

It is therefore beyond belief that anybody would contend that General von Loehr was not directly involved in the implementation of the deportations of Jews from Salonika. It is true that the SS generally carried out the daily deportations. But the commander, General von Loehr, not only had knowledge but was pushing the idea of deportation with the Italian General Giloso who submitted that in a written report. We have copies of General Giloso's written report to the Minister of War available.

That is not the purpose of my remarks here today. The purpose of my remarks, Mr. Chairman, as you know the credibility of Kurt Waldheim has been raised and this is the central question. If we can believe him in any area then perhaps we should believe him in his main contention with respect to war crimes.

But if we can't believe him in any of the areas that he has written about, then it casts grave suspicions about the rest of his claims.

Now let us go to another area previously never discussed in the Waldheim case. The subject of his dissertation, his doctorate of law at the University of Vienna.

I would say that it took approximately 3 weeks to get a copy of Dr. Waldheim's dissertation from the University of Vienna because of various reasons. We do have this dissertation before us. I would like to exhibit it. This is the original copy of the original from the archives of the University of Vienna.

The dissertation subject is rather of interest to us. In his book Mr. Waldheim states that he wrote the dissertation on the Federalist principles of Konstantin Frantz. A more accurate description for the record should be that the title of his dissertation is in fact "The Reichsidees" by Konstantin Frantz.

Now the reason that that is of significance is that Konstantin Frantz was first and foremost a notorious anti-Semite, a man who believed that the Jewish question has to be solved. And he suggested that the Jewish question should be solved in two ways. One, by chopping off the head from every Jew. The other, by sending the bloody lot to Palestine.

This was the political thinking of the 19th Century thinker Konstantin Frantz. Now, in 1944 Kurt Waldheim wrote his dissertation on Frantz. His dissertation is on the Reichsidees, the concept of a greater Germany, a Germany that would absorb Austria and the other European governments under what we might call the Greater Reich.

Now I place on the record the following comments from Mr. Waldheim in the past. Mr. Waldheim has said that in 1938 he was beaten up because he was against the Anschluss. In 1941 he writes

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in both of his autobiographies that in fact he was reviewing literature in the Army, anti-Nazi literature, and was happy to see that fellow officers were also reviewing the anti-Nazi literature, he writes in his biography.

Thus conveying the impression that here was a man that was opposed to the Anschluss, the Anschluss with Austria, and conveying the impression that he certainly had anti-Nazi sentiments. He was even reading the material in 1941 when such an act could be called betrayal against the German Army. He could be court martialed and shot. But he took the chance in 1941 to read regularly anti-Nazi material.

Thus it is very difficult to comprehend why between the years of 1942 and 1944 Mr. Waldheim wrote a dissertation on a person that was very much within Nazi ideology, considered one of the spiritual forerunners of National Socialism. That the contents of the dissertation are laudatory and extolling the virtues of Frantz' political ideology, Frantz who says that there is no room in his greater Reich for Jews. Does that sound like it would be coming from a person who believes in anti-Nazi ideology or is opposed to the Anschluss?

In 1944 most Germans would have by then concluded that Germany was going to lose the war. I might also place on the record that 37 doctoral dissertations were submitted for doctorates in law in 1944 at the University of Vienna.[1] Of the 37, 26 are on neutral topics in no way connected with National Socialist ideology. Eleven are on subjects that might be construed as having to deal with National Socialist ideology.

Mr. Waldheim's dissertation, strangely enough, is not even listed. And that is the second part of the testimony that I would like to bring to the subcommittee's attention.

In an authoritative work on all the dissertations submitted to the University of Vienna, in all of the disciplines, from the years 1937 to 1949 by Dr. Lisl Alker, and the documentation and books have been made available to the subcommittee members, there is no listing of Dr. Waldheim's dissertation and no listing of the subject matter of Konstantin Frantz.

This is an authoritative work by a very distinguished scholar, and mysteriously Dr. Waldheim's dissertation is not contained. Our researchers have learned from the University of Vienna the following information, that Dr. Waldheim's doctorate had been placed in the university library in 1985.

We also learned that Dr. Waldheim's doctorate was made available to the National Archives, that is the National Library of Vienna, in the late sixties or early seventies. The mystery is, where was the dissertation from the date that it was written, 1944, until the late sixties or early seventies, when it was placed in the possession of the National Archives?

Our researchers who examined the documentation at the University of Vienna, believe it was in the office of the Dean of the Faculty of Law. We cannot explain how a distinguished scholar like Dr.

[1] The material is on file with the Subcommittee on Human Rights and International Organizations.

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Lisl Alker missed it not only in her book in 1954 but in all future updates. There is no mention of this dissertation or the doctorate.

Mr. YATRON. Rabbi Hier, if I may just interject very respectfully, I would appreciate it if you could try to conclude your statement in the next 3 or 4 minutes. We are limited in the amount of time that we have to use this room.

Rabbi HIER. Thank you, Mr. Chairman.

Mr. YATRON. Thank you, Rabbi.

Rabbi HIER. I just want to conclude now. I believe that this has great relevance in the following manner as I indicated before.

It suggests to us, did Mr. Waldheim tell the truth when he said that he was anti-Nazi and against the Anschluss? Is that the way an anti-Nazi, anti-Anschluss, would have selected his doctorate at the end of the war when most people thought that Germany had lost the war?

And I conclude, I would like to cite the final sentence of Mr. Waldheim in the dissertation. Quoting Gentz, he concludes his dissertation with these words. Quoting Gentz, "Europa ist durch Deutschland gefallen, durch Deutschland muss es wider auferstehen. (Europe fell because of Germany, and Europe will again be resurrected because of Germany.)"

Mr. YATRON. Thank you, Rabbi Hier. Mr. Rosenbaum, you may proceed, sir.

[The prepared statement of Rabbi Hier follows:]

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PREPARED STATEMENT OF RABBI MARVIN HIER, DEAN, SIMON WIESENTHAL CENTER

Mr. Chairman:

The Simon Wiesenthal Center has reviewed all available documentation on the Kurt Waldheim case and has, during the last four weeks, undertaken its own independent investigation into some areas heretofore not fully scrutinized.

At the outset, let me state for the record that the Simon Wiesenthal Center has reached the conclusion that Kurt Waldheim deliberately concealed his past. Contrary to his contention that after being wounded on the Russian front his military career ended in 1941, it would be more correct to say that his military career, in effect, started then; since it is only after 1942 that records indicate that Kurt Waldheim distinguished himself in the service of Hitler's army.

The Center believes that Waldheim concealed his past not only because he did not want people to know where he was during that period, but also because he did not want people to know for whom he was working. Waldheim worked on the command staff of two Wermacht Generals: General Von Shtahl and General Von Loehr, both of whom are amongst a handful of regular Army Generals who were convicted and executed as War Criminals. It would have been impractical for Waldheim to have listed that kind of a resume early on in his post-World War II career. The names Von Shtahl and Von Loehr would have raised more than a few eyebrows in world capitals. For a budding world-class diplomat, it was much better that such a past be erased from memory and later described as merely irrelevant data that would "tend to bore people". The Wiesenthal Center, however, believes that rather than bore people, it would have alerted them.

Mr. Chairman, in 1944, Kurt Waldheim, on his last vacation from the Front,

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completed his doctoral thesis on Konstantin Frantz. After much searching, the Center obtained a copy of Waldheim's dissertation. In both of his autobiographical books, Waldheim says he wrote the dissertation on the Federalist principles of Konstantin Frantz. A much more accurate description would be that his dissertation was on the Reichsideen of Konstantin Frantz.

Konstantin Frantz was a notorious 19th century anti-semite who believed one way or another that the Jewish question would have to be solved, either, as he put it, by chopping the head off of every Jew and replacing it with a head that does not refer back to the Talmud or by driving the lot out to Palestine. Although Waldheim is careful not to cite any of the anti-semitic references of Konstantin Frantz, his dissertation extolls and endorses Frantz's "Greater Reich" concept which sees Austria and other European countries absorbed by Germany, and the creation of a Greater Germany. There is no criticism of Frantz in Waldheim's doctoral thesis, only appreciative and laudatory statements along with the recognition that Frantz was, in effect, before his time and that the true realization of Frantz's ideas would be realized later.... Later being the Third Reich. The most illuminating way of explaining the thinking of Waldheim is his selection of a closing quote to his dissertation from another notorious German anti-semite, Friedrich Gentz: "Europa ist durch Deutschland gefallen, durch Deutschland muss es wider auferstehen".* [*"Europe through Germany fell, through Germany it must rise again".]

It is interesting that in Waldheim's autobiography he comments that in 1941 there was much anti-Nazi sentiment in the army and that he had managed to read all of the available anti-Nazi literature. Waldheim writes, and I quote, "I found men who shared my views and our long discussions gave us a chance to air our feelings". This, referring to a time when many in Germany and Austria

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believed that they would win the war. Yet when he was working on his dissertation (1943-1944), most well-informed Germans and Austrians knew that Germany was going to lose the war. Waldheim did not even pick an innocuous topic, but rather presented to the Law Faculty of the University of Vienna a critisism-free celebration of a leading proponent of Greater Germany. Konstantin Frantz's ideas hardly befit the image of an anti-Nazi thinker which Waldheim so carefully cultivates about himself in his autobiographies.

Strange, too, Mr. Chairman, is the fact that in a comprehensive two volume work on dissertations submitted to the University of Vienna in all disciplines between the years 1937-1949, by Dr. Lisl Alker, published in 1954, neither Kurt Waldheim's name nor subject of dissertation is listed in this authoritative University of Vienna source. This, despite the fact that 37 doctoral dissertations in the Faculty of Law in 1944 are listed, some even on the National Socialist concepts. We do not know why Mr. Waldheim's dissertation was, for example, only placed in the University library in 1985 and in the University archives only in the late '60's or early '70's. Apparently, it was held somewhere else (perhaps in the Dean's Office of the Faculty of Law), but it was not listed in the first or subsequent editions of Dr. Alker's reference work. One thing is clear: the Wiesenthal Center has confirmed from a University of Vienna archivist, that Mr. Waldheim's dissertation was not lost during Allied bombings of Austria late in the war. Could it be that the topic and thrust of this dissertation was something that a recent recipient of a doctor of law degree from the University of Vienna would not want exposed to a post-war environment, universally repulsed by Nazi ideology?

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Mr. Chairman, the Simon Wiesenthal Center does not know if the assertions linking Kurt Waldheim to war crimes are true. But the whole world knows that he has violated a sacred trust in lying about his past. And if he is interested in truly setting the record straight, for once and for all, he himself should publicly and immediately demand that the government of Yugoslavia release all documents relevant to the charges listed against him by the Yugoslavian War Crimes Commission in 1947.

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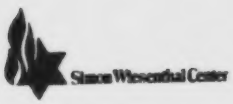

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STATEMENT OF ELI M. ROSENBAUM, GENERAL COUNSEL, WORLD JEWISH CONGRESS

Mr. ROSENBAUM. Thank you, Mr. Chairman. I am pleased to appear here today to testify on behalf of the World Jewish Congress [WJC] with respect to the WJC's on-going investigation of the wartime activities of former U.N. Secretary General Kurt Waldheim.

Mr. Chairman, I am sensitive to the time constraints we have this afternoon. So with the chairman's permission I will present a very abbreviated version of my prepared remarks but would ask if possible that the entire text be made a part of the record.

Mr. YATRON. Without objection.

Mr. ROSENBAUM. At the outset I would like to stress that our investigation of this exceedingly complex case is still a very young one. Although we have learned and revealed to the world many previously concealed facts about Kurt Waldheim's past, we expect to unearth a great deal of additional information in the coming weeks, months, and years. This information will, without exception, be made available to the public.

From the time that this investigation was authorized by our president, Edgar M. Bronfman, the WJC's goal has simply been to uncover the full, unvarnished truth. Regrettably, this task has been complicated immeasurably by Dr. Waldheim's continued dissembling about his past.

We have the same questions that Congressman Solarz has: why the grotesque lie? We have been waiting now for nearly 2 months for a simple explanation, if there is one, from Dr. Waldheim, and we do not get it. Dr. Waldheim refuses to write his autobiography, and so we are forced to write it for him.

We also have another question. How was Waldheim able to carry off his elaborate deception over a period of fully 4 decades? The WJC, which possesses official nongovernmental status at the United Nations, is profoundly saddened by the manner in which Waldheim was able to defile that important world body, an organization which, ironically, was formed in response to the horrors perpetrated by the Nazis and their acolytes.

As a result of the investigative efforts of a small group of Austrian journalists, we now have documents showing irrefutably that Kurt Waldheim, who has long boasted of his purported anti-Nazi attitude before and during the war, actually belonged to at least three Nazi organizations.

Kurt Waldheim's military service, which has been the subject of my organization's inquiry, his military service during the Second World War began with his participation in the 1941 invasion of the Soviet Union while serving with the 45th Infantry Division of the Wehrmacht.

On December 18 of that year he was briefly hospitalized as a result of a minor wound which had become infected. In countless statements over the years made in books, articles, campaign literature, a letter to Congressman Solarz and the like, Waldheim has falsely stated in the most deliberate and cunning fashion that his military service ended with this hospitalization.

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For example, in his 1977 book, The Challenge of Peace, he writes as follows at page 24:

> The knowledge that I was serving in the German Army was hard to bear. Deliverance from my bitter situation finally came when our unit moved into active combat on the Eastern Front in 1941. I was wounded in the leg and medically discharged.

He goes on then to describe how he returned to law school, received his doctorate in 1944. We never hear about the war again. In fact, records obtained by the World Jewish Congress from archives in West Berlin state that Waldheim returned to active service after only 2½ months of convalescence and leave.

He now admits that he was assigned to the staff of Army High Command 12, the German AOK, in the Balkans, arriving in Yugoslavia by April 1942, attached to the Command Staff of the Combat Group West Bosnia, in German the "Kampfgruppe Westbosnien." Except for a few brief leaves, Waldheim would spend the rest of the war in the Balkans in the armed forces of Nazi Germany.

During the summer of 1942 the Kampfgruppe Westbosnien directed a notoriously brutal antipartisan campaign in the area of the Kozara mountain range. Thousands of anti-Nazi resistance fighters and unarmed civilians were slaughtered. And more than 60,000 persons, primarily women and children, were deported to concentration camps in what has come to be known as the Kozara Massacres.

Waldheim was singled out for distinguished service, for meritorious service, one of only 34 men out of fully 15,000 to 25,000 Axis forces engaged in that bloody operation to be so commended. For his exemplary service he also received the high award of the notorious Nazi puppet state of Croatia, the King Zvonimir medal, conferred in silver with oakleaves for service under enemy fire.

In December 1942, Waldheim was promoted to Oberleutnant, First Lieutenant. On or about March 31 of the following year, he arrived in the area of Salonika, Greece, a senior intelligence officer in the Ic/AO intelligence group of the high command of Army Group E, whose commander in chief, as has been stated, was the notorious Wehrmacht general, Alexander Loehr, who was hanged after the war as a Nazi war criminal.

In conjunction with the SS, Wehrmacht personnel serving under General Loehr directed the deportation of virtually the entire Jewish community of Salonika, almost all sent to the Auschwitz death camp where they were immediately killed in the gas chambers.

These deportations began some 2 weeks before Kurt Waldheim's arrival and were largely completed by mid-May. During this 2-month period, more than 40,000 Jews were transported to their death. Nearly every day, 2,000 to 2,500 Jewish men, women, and children were stuffed into Wehrmacht trains and hauled off to Auschwitz. Waldheim insists that he not only had nothing to do with this, but that he did not even notice that the Jews had disappeared.

Last month Col. Roman Loos, head of the German Geheimfeldpolizei, the secret field police in the area, was quoted by the Associated Press as exclaiming,"He didn't know that? That was known to everybody."

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Captured German documents housed at the U.S. National Archives shed considerable light on Waldheim's responsibilities while serving on the staff of the man whom historian Gerald Reitlinger characterized as "perhaps more implicated in Jewish deportations than any other Wehrmacht commander."

A December 1, 1943, organizational chart for Army Group E shows that Waldheim was the chief "03" officer in the intelligence group. His listed responsibilities included preparing and presenting morning and evening briefings for the general staff, prisoner interrogations, all prisoner interrogations in Greece and adjacent areas under his direction as well as unspecified "Sonderaufgaben," special tasks. Such terminology was of a type used by the Nazis to denote operations too distasteful to describe further. According to historians, this typically would refer to secret measures of mass terror, torture, kidnapping, executions, reprisals against hostages, and the like.

According to the aforementioned captured document, Waldheim was also responsible for personnel matters within the intelligence group. In intelligence this was an especially sensitive area, particularly after the attempt on Hitler's life when political reliability, and I should put that in quotes, of personnel achieved paramount importance.

Dozens of intelligence reports signed by Waldheim have been found by World Jewish Congress researchers right here in Washington at the U.S. National Archives. Time after time Waldheim reported on "Saeberung"—cleansing or mopping up—operations, an expression often employed by the Germans as a euphemism for mass executions and/or deportations.

One secret report signed by Waldheim was actually used by U.S. prosecutors at Nuremberg as evidence of Nazi war crimes committed in Greece. The report, dated August 11, 1944, was read in open court in August 1947 at the Palace of Justice in Nuremberg. It reports on mass shootings in Athens. Ominously it also identifies the area south of Iraklion on the Greek island of Crete as one of widespread partisan activity. Under orders issued by General Loehr, Waldheim's commander in chief, a year earlier, such activity was to be responded to by "shooting or hanging of hostages, destruction of the surrounding localities, et cetera." Indeed, the Nuremberg document reveals that only 2 days after Waldheim's report, German forces launched a reprisal "cleansing" operation southwest of the very city of Iraklion in which two villages were totally destroyed and 20 hostages were shot to death.

Testimony offered to the Yugoslav War Crimes Commission shows that Waldheim was deeply involved in the actual planning of other brutal reprisal measures. Witnesses reportedly testified that Waldheim made specific recommendations for reprisals for approval by his immediate superior officer.

One witness, Karl-Heinz Egberts-Hilker, testified that Waldheim was specifically responsible for a reprisal committed in October 1944 when three villages between the towns of Kocane and Stip were burned; 114 individuals perished in this reprisal.

As has been said before, Waldheim was subsequently listed by the U.N. War Crimes Commission, and as we revealed to the world,

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by the U.S. Army in its Central Registry of War Criminals and Security Suspects—in the final such listing, in 1948.

Thus, during the 10 years that Secretary General Kurt Waldheim sat on the 38th floor of the United Nations building in New York, elsewhere in the U.N. complex there was to be found a U.N. War Crimes Commission file on Nazi war crimes suspect number 79-724—under the name Waldheim, Kurt.

Time does not permit me to recite the full litany of Kurt Waldheim's misrepresentations concerning his past. I would refer those who are interested to my prepared statement on that score.

Permit me to conclude, Mr. Chairman, with a public challenge to Kurt Waldheim. Last week during a meeting in New York between Gerhard Waldheim and World Jewish Congress Executive Director Elan Steinberg, Mr. Waldheim stated that his father is in possession of a copy of the U.N. War Crimes Commission suspect file pertaining to his own case.

The younger Mr. Waldheim agreed to provide the World Jewish Congress with a copy. We have, as yet, received nothing. Gerhard Waldheim is here today. He is scheduled to testify next. I have reason to believe that he may have a copy of the U.N. file with him now. If, as Kurt Waldheim asserts, he has nothing to hide, then let him make that file available to this subcommittee now or agree to provide it to the subcommittee within 48 hours.

Finally, the world has been cruelly deceived by Kurt Waldheim. For 10 years the chief human rights officer of the planet was an accused Nazi war criminal. It is long past time for all the facts to come out. It is ludicrous for Waldheim to maintain that his fabrications were "unintentional."

It is indecent of Waldheim to implore, as he did in an interview last week with the West German news magazine Spiegel, "41 years after the war, there should be an end to this." And it is obscene for Gerhard Waldheim to come to our country and defend his father, as he did in the pages of the Washington Post last week, by equating the experiences of Nazi troops in the Balkans with those of American veterans of the Vietnam war.

That concludes my prepared text. And I will be happy to answer any questions from the committee.

[The prepared statement of Mr. Rosenbaum follows:]

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PREPARED STATEMENT OF ELI M. ROSENBAUM, GENERAL COUNSEL, WORLD JEWISH CONGRESS

Mr. Chairman:

I am pleased to appear today to testify on behalf of the World Jewish Congress with respect to the WJC's ongoing investigation of the wartime activities of former United Nations Secretary-General Kurt Waldheim.

At the outset, I would like to stress that our investigation of this exceedingly complex case is still a very young one. Although we have learned and revealed to the world many previously concealed facts about Kurt Waldheim's past, we expect to unearth a great deal of additional information in the coming weeks, months and years. This information will, without exception, be made available to the public.

From the time that this investigation was authorized by our president, Edgar M. Bronfman, the WJC's goal has simply been to uncover the full unvarnished truth. Regrettably, this task has been complicated immeasurably by Dr. Waldheim's continued dissembling about his past. As a result, we are faced with one of the most complex Nazi investigations ever undertaken anywhere, one that will take a long time to complete. If I may be permitted to offer a comparison, it would be with the case of Klaus Barbie, the "Butcher of Lyons." Barbie's activities were largely confined to the area of Lyons, France. He has not yet come to trial, despite the fact that investigators gathered evidence about him for many years prior to his transfer from Bolivia to France in 1983, and have continued to do so during the nearly three years that he has been in French custody. Waldheim, by comparison, was active on the Russian Front and thereafter throughout the Balkans. He served on the staff of the High Command of an Army Group of some 400,000 men, which Command created hundreds of thousands -- if not millions -- of documents, which are now scattered among archives throughout the world.

We are keenly interested, as well, in determining how Kurt

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Waldheim was able to carry off this elaborate deception over a period of fully four decades. The WJC, which possesses official non-governmental organization (NGO) status at the United Nations, is profoundly saddened by the manner in which Waldheim was able to defile that important world body -- an organization which, ironically, was formed in response to the horrors perpetrated by the Nazis and their acolytes.

The revelations concerning Kurt Waldheim's past have emanated principally from two sources. The facts of his prewar activities have come to light primarily as a result of the work of a number of Austrian journalists. The key disclosures pertaining to Waldheim's wartime whereabouts and activities have come from my organization. I would like, with the Chairman's permission, to review very briefly the most salient facts revealed to date, and then to present some information bearing upon Kurt Waldheim's credibility -- or, more correctly, his obvious lack of same.

As a result of the investigative efforts of a small group of Austrian journalists, we now have documents showing irrefutably that Kurt Waldheim, who has long boasted of his purported anti-Nazi attitude before and during the war, actually belonged to at least three Nazi organizations. On April 1, 1938 -- only three weeks after Austria became part of the German Reich -- he was enrolled as a member of the Nazi Student Union (NS-Studentenbund). Then, on November 18, 1938 -- less than two weeks after the infamous anti-Jewish rampage now known as "The Night of Broken Glass" (Kristallnacht) -- Waldheim became a member of a mounted unit of the dreaded Sturmabteilung (SA) -- Hitler's brownshirted stormtroopers. Finally, Waldheim also was enrolled as a member of the NS-Reiterkorps, a mounted affiliate of the Nazi Party.

Kurt Waldheim's military service during the Second World War began with his participation in the 1941 invasion of the Soviet Union while serving with the 45th Infantry Division of the Wehrmacht. On December 18 of that year, he was briefly hospitalized as a result of a minor wound which had become infected. In countless statements over the years made in books, articles, campaign literature and the

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like, Waldheim has falsely stated in the most deliberate and cunning fashion that his military service ended with this hospitalization. For example, in his 1977 book, The Challenge of Peace, he writes as follows at page 24:

> "The knowledge that I was serving in the German Army was hard to bear. Deliverance from my bitter situation finally came when our unit moved into active combat on the Eastern Front in 1941. I was wounded in the leg and medically discharged.
>
> "By the time I was repatriated [to Vienna] in 1942, it had become impossible to leave the country. The borders had been closed and were being heavily patrolled. Everywhere the most ordinary movement was restricted, and the authorities dealt arbitrarily with anyone who did not conform to the regulations. I was permitted to resume my studies toward a Doctorate in Law, which I obtained some two years later."

In fact, records obtained by the WJC from archives in West Berlin state that Waldheim returned to active service after only two-and-one-half months convalescence and leave. As he now admits, he was assigned to the staff of Army High Command 12 (AOK 12) in the Balkans, arriving in Yugoslavia by April 1942 attached to the Command Staff of the "Combat Group West Bosnia" (Kampfgruppe Westbosnien). Except for a few brief leaves, Waldheim would spend the rest of the war serving in the Balkans in the armed forces of Nazi Germany.

During the summer of 1942, the Kampfgruppe Westbosnien directed a notoriously brutal anti-partisan campaign in the area of the Kozara mountain range. Thousands of anti-Nazi resistance fighters and unarmed civilians were slaughtered and more than 60,000 persons -- primarily women and children -- were deported to concentration camps in what has come to be known as the Kozara Massacres. At the U.S. National Archives, we located last month a contemporaneous German account which candidly referred to the

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operation as a "final liquidation" of "Untermenschen" (sub-humans) carried out "without pity or mercy," because only "a cold heart can command what needs to be commanded." This is language of a type ordinarily seen only in SS documents -- not in Wehrmacht reports. The very first page appended to this report is a listing of 34 men singled out for meritorious service -- just 34 men among the 15-25,000 Axis forces engaged in that operation. Lieutenant Waldheim is number 25 on the list. For his exemplary service, Waldheim also received a high award of the notorious Nazi puppet government of Croatia: the "King Zvonimir" medal, conferred in silver with oakleaves "for service under enemy fire." Documents obtained from archives in Yugoslavia show that Waldheim was recommended for this award by no less a personage than Generalmajor Friedrich Stahl, the Wehrmacht officer who directed the Mount Kozara operation. After the war, Stahl admitted to his Allied questioners that he had authorized "reprisal" executions of civilians, pursuant to which as many as 100 unarmed civilians would be murdered for every German soldier killed by the resistance.

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In December 1942, Waldheim was promoted to Oberleutnant (First Lieutenant). On or about March 31 of the following year, he arrived in Salonika, Greece, as a senior intelligence officer in the Ic/AO (intelligence)group of the High Command of Army Group E (which had absorbed the former AOK 12 as of January 1943). His commander-in-chief was the notorious Wehrmacht General Alexander Loehr, who was hanged after the war as a Nazi war criminal.

In conjunction with the SS, Wehrmacht personnel serving under General Loehr directed the deportation of the Jewish community of Salonika to the Auschwitz death camp -- where they were immediately killed in the gas chambers. These deportations began some two weeks before Waldheim's arrival and were largely completed by mid-May. During this two-month period, more than 40,000 Jews were transported to Poland. Nearly every day, 2,000 to 2,500 Jewish men, women and children were stuffed into Wehrmacht trains and hauled off to Auschwitz. Waldheim insists that he not only had nothing to do with this atrocity, but that he did not even notice that any Jews disappeared. One-fifth of the population vanished in just two months, and, incredibly, Kurt Waldheim saw and heard nothing of it. Last month, Col. Roman Loos, the former head of the German Geheimfeldpolizei (Secret Field Police) in the area was quoted by the Associated Press as exclaiming, "He didn't know about that? That was known to everybody."

Captured German documents housed at the U.S. National Archives shed considerable light on Waldheim's responsibilities while serving on the staff of the man whom historian Gerald Reitlinger characterized as "perhaps more implicated in Jewish deportations than any other Wehrmacht commander."

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A December 1, 1943 organizational chart for Army Group E (Microfilm Series T-311, Roll 181, Frame 0007) states that Waldheim was the chief "03" officer in Group Ic/AO. His listed responsibilities included: preparing and presenting morning and evening briefings for the General Staff, prisoner interrogations in Greece and adjacent areas, as well as unspecified "Sonderaufgaben" -- "special tasks." Such terminology was of a type used by the Nazis to denote operations too distasteful to describe further -- typically, secret measures of mass terror or torture, kidnapping and execution.

Waldheim's responsibility for prisoner interrogations extended through much of the Balkans, and included interrogations conducted inside and outside Army Group E's headquarters. Interrogation under the Germans often involved torture, and usually ended in execution. We have not yet located any survivors of such interrogations. It should be noted that the word "prisoners" is not necessarily limited to military POWs. In this theatre, it referred to partisans and civilians as well.

According to the aforementioned captured document, Waldheim was also responsible for personnel matters within the intelligence group. In intelligence, this was an especially sensitive area, particularly after the attempt on Hitler's life, when the "political reliability" of personnel achieved paramount importance.

On May 22, 1943, Waldheim took part in an important meeting at the airstrip in Podgorica, Yugoslavia. He appears in a now-famous photograph of that meeting released last month by the World Jewish Congress. Attended by Wehrmacht, Waffen-SS and Italian officers, the meeting soon degenerated into a heated quarrel over who was to direct the so-called "Black Operation"("Unternehmen Schwarz"). That operation, one of the most brutal anti-partisan campaigns of the war, was already well under way at the time of the meeting at the airstrip. According

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to Professor Jozo Tomasevich, the shooting of partisan prisoners -- long standard operating procedure for Axis forces in Europe -- "reached its peak" during the Black Operation.

Dozens of intelligence reports signed by Waldheim have been found by World Jewish Congress researchers at the U.S. National Archives. Time after time, Waldheim reported on "Sauberung" ("cleansing" or "mopping up") operations -- an expression often employed by the Germans as a euphemism for mass executions and/or deportations.

One secret report signed by Waldheim was actually used by U.S. prosecutors at Nuremberg as evidence of Nazi war crimes committed in Greece. The report, dated August 11, 1944, is part of Nuremberg document NOKW-935. Read in open court on August 18, 1947 at the Palace of Justice in Nuremberg, the document reports on mass shootings in Athens. Ominously, it also identifies the area south of Iraklion on the island of Crete as one of widespread partisan activity. Under orders issued by General Loehr a year earlier, such activity was to be responded to by "shooting or hanging of hostages, destruction of the surrounding localities, etc."(Nuremberg document NOKW-155). Indeed, document NOKW-935 reveals that two days after Waldheim's report, German forces launched a reprisal "cleansing operation" southwest of Iraklion, in which two villages were destroyed and twenty hostages were shot to death.

According to testimony given by former Wehrmacht colleagues of Waldheim to the Yugoslav War Crimes Commission, Waldheim was deeply involved in the planning of other brutal reprisal measures. These witnesses reportedly testified that Waldheim made recommendations for such reprisals, for approval by his immediate superior officer. One witness -- Egbert Hilker -- testified that Waldheim was specifically responsible for a reprisal committed in October 1944, when three

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villages between the towns of Kocani and Stip were burned. 114 people perished in this reprisal.

As a result of documentary and testimonial evidence gathered on Waldheim by the Yugoslav War Crimes Commission, it concluded in a December 18, 1947 decision that Waldheim was a fugitive Nazi war criminal whose extradition to Yugoslavia is "mandatory." Waldheim was subsequently listed as an accused Nazi criminal by the United Nations War Crimes Commission. Thus, during the ten years that Secretary-General Kurt Waldheim sat on the 38th floor of the United Nations building in New York, elsewhere in the U.N. complex there was to be found a U.N. War Crimes Commission file on Nazi war crimes suspect number 79/724 -- "Waldheim, Kurt."

Waldheim was also listed in 1948 on the final "Central Registry of War Criminals and Security Suspects" (CROWCASS) compiled by the United States Army. Under the heading "reason wanted," there is a one-word entry: "murder." The WJC is troubled by the fact that the Department of the Army, in responding to my February 10, 1986 Freedom of Information Act request for all pre-1950 documents referring or relating to Waldheim, supplied us with three innocuous documents, none of which related to Waldheim's military service. The Army insisted that these were the only locatable Army documents responsive to our request.

One can readily imagine our shock upon subsequently discovering Waldheim's name on a CROWCASS list at the National Archives. This episode is particularly distressing in light of my experience while serving from 1980 through 1983 as a trial attorney with the Justice Department's Office of Special Investigations -- the special unit of the Criminal Division responsible for investigating and prosecuting suspected Nazi war criminals residing in the United States. In

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each of OSI's more than one thousand investigations, a request for a background check has routinely been forwarded to the Department of the Army. Never in my experience was there an instance in which the fact that an individual was listed in the CROWCASS registry failed to emerge in the Army's response to an OSI request for information on that individual.

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Unfortunately, time does not permit me to recite the full littany of Kurt Waldheim's misrepresentations concerning his past. A few examples may be instructive, however. Incredibly, Waldheim continues to deny membership in the SA, NS-Studentenbund, and NS-Reiterkorps. This denial, however, has been of an "on again, off again' variety. Since the controversy over his past erupted last month, Waldheim has, on a few occasions, actually admitted these memberships. He has offered a bizarre series of mutually exclusive "explanations" for these affilations, including: 1) he belonged to groups that were later "absorbed" by the Nazi organizations, 2) his father enrolled him without his knowledge, and 3) he joined in order to be able to continue his university studies.

An indication of Wadheim's lack of integrity in responding to the facts which have been discovered about his past may be found in a document which he has distributed in the United States through his son, Gerhard. The document purports to be a compilation of statements made by prominent individuals in support of the elder Waldheim. Among those said to support him are Javier Perez de Cuellar, the current U.N. Secretary-General, famed Nazi-hunter Simon Wiesenthal, former Austrian Chancellor Bruno Kreisky, and Holocaust historian Professor Hagen Fleischer.

However, on April 18, Mr. Alvaro de Soto, Special Assistant to Secretary-General Perez de Cuellar, advised the WJC that the Secretary-General had never made any statement of support for Waldheim in connection with the inquiry into the latter's past.

The WJC has collected some of the statements made on the Waldheim affair by the other individuals just mentioned. These statements in fact are quite condemnatory of Waldheim. Thus, Simon Weisenthal has said, "I don't believe that he knew nothing about the deportations of the Jews during the time he was in Greece (Newsweek, April 7, 1986). Professor Fleischer

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has charged that Waldheim's claim not to have known about deportations from Salonika in 1943 is "not credible" and his claim of ignorance regarding the 1944 deportations of Jews from Crete, Rhodes and Corfu is "a provocation" (Reuters, April 13, 1986). Similarly, former Chancellor Kreisky angrily complained to U.S. News & World Report last week, "I was deceived. The curriculum vitae that Waldheim gave me so we would support him was a lie." (Issue of April 28, 1986)

Waldheim's deceit truly knows no bounds. Last Friday, we revealed that Waldheim's April 6 memorandum purporting to describe his military career was surreptitiously altered six days later. The April 6 version -- which was provided by his son to the U.S. Department of Justice -- says he returned to Salonika in April 1943. Although Waldheim has consistently admitted since March 2 of this year that he returned to the Salonika area in late March/early April 1943, during the height of the deportations of Jews there, his new memo says he returned to Salonika in July 1943. This quiet change was never brought to the attention of members of the press and others who received the new memo.

Permit me to conclude, Mr. Chairman, with a public challenge to Kurt Waldheim. Last week, during a meeting in New York between Gerhard Waldheim and WJC Executive Director Elan Steinberg, Mr. Waldheim stated that his father is in possession of a copy of the U.N. War Crimes Commisison suspect file pertaining to his own case. The younger Mr. Waldheim agreed to provide the WJC with a copy of that file. We have, as yet, received nothing.

Gerhard Waldheim is here today and is scheduled to testify next. I have reason to believe that he may have a copy of the U.N. file with him now. If, as Kurt Waldheim asserts, he has nothing to hide, then let him make that file available to this subcommittee now or agree to provide it within 48 hours.

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The world has been cruelly deceived by Kurt Waldheim. For ten years, the chief human rights officer of the planet was an accused war criminal. It is long past time for all the facts to come out. It is ludicrous for Waldheim to maintain that his fabrications were "unintentional." It is indecent of Waldheim to implore, as he did in an interview last week, "Forty-one years after the end of the war, there should be an end to this." (Der Speigel, April 14, 1986). And it is obscene for Gerhard Waldheim to come to our country and defend his father by comparing -- as he did in the Washington Post on April 13 -- the experiences of the Nazi troops in the Balkans with those of American veterans of the Vietnam war.

That concludes my prepared text, and I would be happy to answer questions from the Committee. Thank you.

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Mr. YATRON. Thank you, Mr. Rosenbaum, for your statement, sir. Gentlemen, I would like to direct a question to both of you or to either of you, whoever wants to respond.

Based on your findings, is it your view that Dr. Waldheim is, in fact, guilty of committing war crimes?

Rabbi HIER. As according to the U.N. file, and according to the Government of Yugoslavia, they have listed Mr. Waldheim as having committed war crimes. The only answer to this question can be found in Yugoslavia if they release all of the documents. And the Government of Yugoslavia refuses to do so.

But they have charged Mr. Waldheim with the commission of murder, slaughter, and the burning of villages. And the United Nations has a copy of that charge.

Mr. YATRON. Thank you. Do you wish to comment, Mr. Rosenbaum?

Mr. ROSENBAUM. Yes. Whether Dr. Waldheim is actually guilty of Nazi war crimes is something that can be determined only by a court of law. What we know is that Waldheim is an indicted Nazi war criminal, indicted not by us but by the Government of Yugoslavia.

We continue our investigation. We are not convinced that the answer necessarily lies in Yugoslavia. We are fairly optimistic that the answer will be found right here at the U.S. National Archives.

Mr. YATRON. Rabbi Hier, yesterday at a news conference at the National Press Club, Dr. Gerhard Waldheim quoted Simon Wiesenthal as having said, and I quote, "Dr. Kurt Waldheim was never a member of the Nazi party, nor of any of their affiliated organizations. This has been proven by documentation."

Did Simon Wiesenthal make this statement?

Rabbi HIER. Mr. Chairman, just 1 hour ago Simon Wiesenthal authorized that a statement be made on his behalf precisely because of the allegations attributed to him in the last few days through the interviews given by Mr. Gerhard Waldheim. And I will ask the attorney of the Simon Wiesenthal Center to read Mr. Wiesenthal's statement given 1 hour ago on this matter.

Mr. YATRON. Fine, but will the gentleman identify himself for the record, please?

STATEMENT OF SIMON WIESENTHAL, READ BY MARTIN MENDOLSOHN, ATTORNEY, SIMON WIESENTHAL CENTER

Mr. MENDOLSOHN. Gladly. My name is Martin Mendolsohn. I am appearing representing Simon Wiesenthal and the Simon Wiesenthal Center. He has asked me to make the following statement on his behalf:

> I do not believe what Mr. Waldheim is saying about his war status. He was the best informed man in Group Ic. His constant revisions leave me with questions.
>
> I have no evidence that Kurt Waldheim was a war criminal, but I do not believe him. I do not defend Mr. Waldheim and I do not endorse Mr. Waldheim.
>
> I remain unbelieving.

Mr. YATRON. Thank you.

Mr. MENDOLSOHN. Thank you.

Mr. YATRON. Mr. Ackerman.

Mr. ACKERMAN. Thank you very much, Mr. Chairman.

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Mr. Rosenbaum, you are a former prosecutor in our Justice Department's Office for Special Investigations. Can you tell us how irrefutable the evidence is in your opinion?

Mr. ROSENBAUM. The evidence that we have gathered to date is of a character and a weight that in my opinion as a former prosecutor of Nazi war criminals would compel any responsible prosecutor in the world to initiate a major criminal investigation.

I daresay the Government of France would be delighted to have the wealth of documentary evidence in the Barbie case that we have in the Waldheim case. They are, of course, ahead of us as far as witnesses are concerned, primarily because the World Jewish Congress is a not-for-profit organization with limited resources and really does not have the capability to go around the world looking for witnesses.

And for that reason, we have been calling ever since this scandal broke for some government, one of the concerned governments, either Greece or Austria or Yugoslavia or arguably Israel, to take this up as a proper law enforcement matter.

Mr. ACKERMAN. Thank you. From the documents that you have examined are you able to tell us what Mr. Waldheim was doing at the airfield in Podgorica?

Mr. ROSENBAUM. We now know from the memoirs of a former Waffen SS officer what was going on at the meeting at Podgorica, which is the subject of the now famous or infamous photograph that has been republished all over the world, the photograph that we released.

It was a meeting at which the subject was Unternehmen Schwarz, the so-called Black Operation, one of the most brutal antipartisan, antiresistance campaigns of the entire war. It was an operation in which thousands of civilians were massacred, an operation in which the execution of captured partisans—which was consistently standard operating procedure for the Germans—reached its peak, in the words of one historian.

At that meeting Italian and German officers argued about who was to take control of Operation Schwarz—which was then already underway in that very area where Kurt Waldheim stood and got photographed with the notorious Nazi war criminal, Artur Phelps.

Mr. ACKERMAN. He was an interpreter?

Mr. ROSENBAUM. That is what he says. We have no evidence directly supporting that assertion. And in light of Dr. Waldheim's rather poor record in terms of credibility on these questions, we are very skeptical. We particularly take note of Senator Moynihan's statement yesterday in New York. Simply, Dr. Waldheim is a liar.

Mr. ACKERMAN. If he were merely just an interpreter, do you think he would have understood both the German and the Italian ends of the conversation?

Mr. ROSENBAUM. Certainly. Dr. Waldheim was at that time fluent in Italian, in English, certainly in German, and I believe French. He has some knowledge even of Serbo-Croatian. He would have understood everything that was going on.

Mr. ACKERMAN. Thank you, very much.

Mr. YATRON. Thank you, Mr. Ackerman.

Mr. Lantos.

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Mr. LANTOS. Well, I am anxious to get to the other witnesses, so I will just have a brief question.

It seems to me that in all the documentation and in all the discussion of doctoral dissertations, we are missing the basic point, and I think we need to get back to the basic point.

We are not dealing with the question of whether a person lied about a specific event. What we are dealing with is the denial by the highest official of the United Nations for a long period of time, a denial of a central fact of a whole epoch in history. And to debate, in fact, whether Kurt Waldheim, as an officer directly working under a general who was hanged for war crimes, knew about the Holocaust to my mind is an absurd debate.

Of course he did. It did not take a person of his intelligence, his knowledge, his education, his acumen to know what was going on. A child with an I.Q. of 60 knew what was going on. I find it demeaning and sickening and repulsive and repugnant that a man to whom the international community has given its highest position, after having been found out as a shameless liar, continues this charade.

Instead of saying to the world and to the people of Austria, "mea culpa, mea maxima culpa, I have sinned, I have sinned greatly, forgive me," he pretended he did not know what was going on. To pretend that as a German officer, stationed 6 kilometers outside of Salonika where tens of thousands of people were beaten and killed and packed into freight cars and shipped off to the gas chambers, that he did not know that this was going on under his nose is an insult and a disgrace.

I think it is important that we move as expeditiously as possible, Mr. Chairman, to hearing Mr. Waldheim's son. I have a great deal of respect for his son, whom I have never met, because I think it is only proper that you try to stand up and defend your father. For this I respect you and salute you.

But I think it is important to hear them because I would like them to present their view and their point of view to the American people.

Mr. YATRON. Thank you, Mr. Lantos. Before we go on to the other witnesses, I would like to ask the other members on the panel if they have any other questions for these witnesses. Mr. Solarz first.

Mr. SOLARZ. Thank you very much, Mr. Chairman. Just a few very brief questions.

Do any of the witnesses know why Yugoslavia has refused to turn over the evidence or information which it has?

Rabbi HIER. Yes. Our attorney has just returned from Yugoslavia, and I would like him to respond to that question if I may.

Mr. MENDOLSOHN. Thank you. Congressman, I cannot answer that question with a degree of certainty. But I think that if Mr. Waldheim asked the Yugoslavian Government to release the file, it would be released and that might be a way to answer your question and the questions of the world.

Mr. SOLARZ. But what did they tell you when you were over there?

Mr. MENDOLSOHN. What I was told was that there is a file, it is in existence, it is larger than the U.N. file, it contains more docu-

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ments. But they are reluctant, and I want to stress I did not have a meeting with any government officials directly. But the government appears to be reluctant to release the file because of the very questions that were raised earlier in this hearing about appearing to interfere with the internal affairs of another country.

Mr. SOLARZ. Did they indicate that they would be prepared to release it after the Austrian elections?

Mr. MENDOLSOHN. They did not.

Mr. SOLARZ. Mr. Rosenbaum, based on your experience in the Justice Department, do you think in view of the information that is already available in the public record that Mr. Waldheim should be on the watch list, or is the evidence disclosed so far insufficient to reach that conclusion?

Mr. ROSENBAUM. No, I think the answer is quite clear at this point. Putting everything else aside, the man is an unrepentant liar and lacks the moral character required for entry into the United States.

Moreover, I must say that there is absolutely no precedent for a man who is listed as an accused Nazi war criminal by both the United Nations and the U.S. Army, no precedent for such an individual openly entering the United States. The burden of course is on the alien to show that he is entitled to enter the United States, not on the Government to show that he is not entitled to.

Mr. SOLARZ. Under international law, what court or what government would have appropriate jurisdiction to initiate legal proceedings against Mr. Waldheim?

Mr. ROSENBAUM. As far as I know, it is the policy of the Government of Austria not to extradite its own nationals to other countries. Hence, it is only Austria that can take legal action. And from the standpoint of the World Jewish Congress, we would at least like to see a formal criminal investigation at this point.

Mr. SOLARZ. And finally, do any of you know whether Mr. Waldheim, when he was at the United Nations requested a copy of his U.N. file? And do any of you know whether Mr. Waldheim was aware of the fact that the Yugoslav Government had made these accusations against him prior to these recent revelations in the press?

Rabbi HIER. We do not know, I do not know if Mr. Waldheim specifically asked for his file. I do know in a letter from the Under Secretary of the United Nations that the United States never asked for any files before 1980 from the United Nations.

That is, we have on record in a letter from the Under Secretary of the United Nations outlining that.

Mr. MENDOLSOHN. Congressman, if I could just add one other thing. I believe that Kurt Waldheim is not legally eligible to enter the United States today based on Section 212, paragraph A[19] of the Immigration and Nationality Act, which denies visas to those who willfully misrepresent material facts about their past.

Mr. YATRON. Mr. Rosenbaum, I would appreciate it if you would just stick to the facts of the question that was raised. We want to try to keep this hearing moving. So, please stick to the facts in responding to the questions.

Mr. Smith.

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Mr. SMITH. Mr. Rosenbaum, I was caught by your comment on page 8 that under the Freedom of Information Act request of February 10, you received three innocuous documents that did not relate to Mr. Waldheim's military experience. I wonder if you could elaborate on your feeling as to whether or not there are other documents that the Government is withholding, particularly given your past in working with the Office of Special Investigations under Justice?

And what further actions do you contemplate that you will take in order to try to retrieve what may be there?

Mr. ROSENBAUM. I cannot speculate on whether other documents are being withheld except to say that I was extremely dismayed to find, almost accidentally, that there was this U.S. Army record listing Kurt Waldheim as an accused Nazi war criminal and that that record had not been made available to us in response to my FOIA request.

As I mentioned in the prepared text, I am unaware of any instance while I was at the Justice Department in which my former office made a request of the Army for a background check on an individual so listed and the fact of that listing did not emerge in the Army's response to the request. So it is extremely troubling and we will pursue it with the Army.

Mr. SMITH. Do you have any feeling as to whether or not at this point it is deliberate or just incompetent?

Mr. ROSENBAUM. My personal belief is that there is no conspiracy at this time in the U.S. Army. Whether a document was pulled from the file, say ten or fifteen years ago, is another matter. But I have had excellent experiences in Federal service with those in the Army who respond to these requests. And I do not believe that there is a conspiracy at this time.

Mr. SMITH. Thank you.

Mr. YATRON. Thank you Mr. Smith. Mr. Weiss.

Mr. WEISS. Thank you Mr. Chairman. I really have only one area of questioning, in reference to the role of the Attorney General of the United States.

Some 20 members or more of the House have cosponsored a resolution that I offered, urging the Attorney General to take expeditious action in determining whether under the Holtzmann amendment Mr. Waldheim in fact must be listed as one who is barred from admission to the United States.

The question I have is whether any of you have had occasion to discuss with either the Attorney General, Mr. Meese, or any of his direct subordinates whether an inquiry or investigation is being conducted on-going by the Department; and if so, whether you think this investigation will come to an expeditious conclusion; and if not, what you think is keeping this from happening.

Mr. ROSENBAUM. Why don't I just start by saying that the Justice Department has announced publicly that it has the matter under investigation. We, of course—I think I speak for all of us on the panel here—hope that that will be resolved expeditiously and that our request that Dr. Waldheim be placed on the watch list will be granted.

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When I was at Justice, we routinely placed, for example, former SS personnel and concentration camp personnel on such lists, even in the absence of the kind of specific evidence that we have here.

Mr. MENDOLSOHN. I would like to repeat something that Mr. Rosenbaum said earlier. The burden in these cases should be on the applicant, the alien. It should not be on the U.S. Government to do an investigation before the fact.

I think that the process should be that Mr. Waldheim should in effect prove his innocence.

Mr. WEISS. But pending an application by Mr. Waldheim to enter the United States, do you not think it would help to clear the air if the Attorney General issued a statement which in essence said that the Justice Department has conducted an investigation on the basis of available information, and has decided to place Mr. Waldheim on the watch list.

Mr. MENDOLSOHN. Yes.

Rabbi HIER. Yes. And I might add that the Simon Wiesenthal Center has asked both the Secretary of State and the Attorney General to proceed on this matter in a written communication last week.

Mr. WEISS. Thank you very much. Thank you Mr. Chairman.

Mr. YATRON. Thank you Mr. Weiss. I want to thank you gentlemen for being here. Thank you Mr. Rosenbaum, Rabbi Hier, and Mr. Mendolsohn. We appreciate your being here and giving us the benefit of your views.

Our final two witnesses will also be testifying as a panel. The witnesses are Dr. Gerhard Waldheim, son of Dr. Kurt Waldheim, and the Honorable Karl Gruber, former first Austrian foreign minister and former Austrian Ambassador to the United States.

I would like to call you to the witness table as a panel. First, I will ask Dr. Gruber to begin with his statement, and then we will call on Dr. Waldheim.

STATEMENT OF HON. KARL GRUBER, FORMER FIRST AUSTRIAN FOREIGN MINISTER [1945], AND FORMER AUSTRIAN AMBASSADOR TO THE UNITED STATES

Mr. GRUBER. Mr. Chairman, first let me thank you for this possibility to talk to you. Let me first give a short explanation of my credentials for this role for which I have to play here because I met Mr. Waldheim first in 1945.

I was the leader of the Austrian resistance movement and together with the 103d American Division we then got Tyrol very early into the hands of the American Army. And they appointed me as civil governor of Tyrol. And after the first elections I became Foreign Minister——

Mr. YATRON. Excuse me. Could you please pull the microphone a little closer so we can hear you, sir. Thank you, sir.

Mr. GRUBER. I want to perhaps repeat these last sentences. The American Army, when they finally were established in Tyrol, together with us, they appointed me as civil governor of Tyrol, as Landeshauptman. And when we then had free elections, the first free elections after a long, long time, I became Minister of Foreign Affairs.

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My secretary at this time was Mr. Fritz Moulden. He was a big resistance fighter, too, and he was a lieutenant of the American Army when he then came over to Austria, because the American Army had cooperated with them down in Caserta as their member. He later became, for your knowledge the son-in-law of Mr. Allen Dulles, the Director of the CIA. So he had all the credentials he could have to look into all the files which were at the disposal of the American Army.

He, together with other members of the resistance movement, suggested to us, Mr. Waldheim. We sent him out to make investigations. And all four powers approved that at this time, no one knew anything against hiring him as an aid to the Government.

Before I go a little bit into this question of his books and let us say covering up his activities, let me say this: In 1948 when Tito broke with Russia, I was the first Western politician who came down to see Tito. I made a visit to him. I stayed with him 3 or 4 days on his island of Brioni. We went fishing together, we went hunting together. We had long, long talks about our future relations and about the reasons he broke with the Russians, and all these questions.

He never raised, at this time, any question about Mr. Waldheim, whom he did know was my secretary. And I asked him to free the Austrian prisoners of the war, which he did. And even there was a man whom I thought had much less credentials at the time than did Waldheim. For instance, a former Nazi mayor of Vienna who for a time served and was released and sent back to Austria. He died a very short time after that.

I say this because when I talked to Tito he said to me, I am well aware that in the first years after the war when all these documents were established, there was no real process of law. There were partisans, there were some officials. And I do not put too much into what was written in these documents at the time. For the first place, we are not yet a state. We have not yet the personnel to make a thorough investigation.

So you can quite see that we had no reason why we should doubt anything that was so far known to us. Now let me come to Mr. Waldheim's behavior in the last year or so. He wrote a book. I was very much against his writing any book. And I have many friends as reporters, and they came to me and said, we have read his book and there are 2 years of the war, and suddenly this ends, and you can understand that we are very interested in what was in these other years.

So I told them this. The family of Waldheim was without any doubt an anti-Nazi family. His father was released or thrown out of the service. And he was one of the men who acted for Jewishness and tried to make a plebiscite. Hitler then prohibited it.

He got out alive but he was really beaten up by the Nazis at the time. So if ever, his change must have come later, because at this time he was a solid anti-Nazi with his family too, without any doubt.

When he went to Russia, he was a lieutenant already and he was shot down from his horse. It was a very heavy wounding and he lost some of his colleages. And by his own reports he was carried around and was led all over Russia, in northern Russia in the cold.

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And he was for a very long time—we established this—between death and life.

And as his comrades brought him along, he obtained a very high opinion of comradeship and all those other things which make an army. Too high perhaps, but anyway, I think this was the reason. And I think he got a fixation there, a fixation with this wounding which ended practically his combatant role.

He was from there on no longer fit to fight on the frontier. He could only fight or do something with a pen but no longer with a sabre or with a gun. So I think this fixation of his with this wounding at this time when he was between life and death in Russia made him without any doubt open to mistakes.

Because he read all these books and thought the war would not go on, and all these stories. There was certainly a big mistake, there is no doubt about this. I do not blame the Jewish Congress in the least because they were not the ones which were rather surprised by this.

But I think this was really one of the rest of these things which in the rest of his life was the big event. He was shot down, he was between life and death, he was carried around by his colleagues, and he got a very high opinion of for all these things which may make an army.

I think, and I can go back to Tito for 1 minute. I think that is a very, very important point. Tito was in agreement with me in one point. He said, we must be very careful that we do not wed the Austrian wagon to the German train. Because if we do that we will make what the Nazis really want. We must do everything to separate these two countries for this reason. And we are much more inclined to do everything which we can do to help you and get you on the road to the opposite of it.

He was a real rebel without any doubt. And he said to me and I agreed fully with him, he said, If Austria would be wedded to Germany once again then France, Italy, Yugoslavia, they would be very much against any union of European character.

And I once said in a lecture that the Germans always complained about a separation between East and West Germany. I made a few important points. One point was this, that they were driven to Europe, that was the only option. And the other was that their nationalism did not give in, which they certainly would have done if they did not have this separation.

But anyway, the important thing is to keep Austria out of this. And if you do anything where you make to wed the Austrian wagon to the German train, you make the biggest disservice to Europe and the biggest disservice to the American interests. Because whether Austria is free depends on its own will, not on anybody else. Nobody could make Austria a free state if the Austrians did not like that, if the Austrians wanted to become German again.

So this big thing that we did for 10 years with American help, and I think this was a very great change from what we had before the war, was the element of our policy that we must be very careful I think, we in the first place and you too, that we do not lead a role for the Austrians whereby everybody thinks they are Germans anyway.

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Because when you listen to that role and explanation of Mr. Waldheim you would think he was the worst criminal of all which we have ever had. When you think back to a real war criminal like this Eichmann. He had not 5 percent of the publicity that Waldheim has had for the last 4 weeks.

I think he made big mistakes. I quite agree to that, and I do not blame anybody for that, especially not the Jewish groups who have certainly suffered enough so they are entitled to say something. I quite recognize that.

But on the other hand, we had a speech today from the Austrian president, who is a lawyer himself. And he is a judge, and I think my good friend, the son of Waldheim, will give you a few excerpts from his speech. So to make this short because the chairman wanted us not to overdo it, I would say this.

You must carry in mind not only the man Waldheim. You must bear in mind the fate of Austria, the character of Austria. And you must be sure that you do not try to wed Austria in your thinking to the German wagon. That they finally think well, after all, we are Germans anyway for the world. Why should we fight for our liberation, which we did very well.

And one last word, Mr. Chairman. I do not think there was any European country which was so grateful for the American help which we got as Austria. Many, many, many American politicians said this to me. Many American generals said this to me. You have always found the people who were always in line with your own policy in this respect. And we are very grateful to you.

And I think we should do everything to prepare this period. I think it is very important. This is the political match which we have to give. And I think now to go into these other questions which were raised today, I think Waldheim can do this much better than I can do. So I think I am finished.

Mr. YATRON. Thank you very much, Dr. Gruber, for your statement. I would like to call a very brief recess for about 10 minutes. We have a vote on the floor of the House on the Montgomery amendment to the military retirement bill.

We will go over there, vote, and resume the hearing immediately. Thank you.

[Whereupon, a brief recess was taken.]

Mr. YATRON. The subcommittee will come to order. There may be another rollcall vote very shortly, but we have to be out of here by approximately 5:30, we may as well begin.

So at this time, I would like to call on our final witness, Dr. Gerhard Waldheim. Dr. Waldheim, we welcome you. Please proceed with your statement, sir.

STATEMENT OF GERHARD WALDHEIM, SON OF DR. KURT WALDHEIM

Mr. WALDHEIM. Thank you Mr. Chairman. I would propose to restrict myself to the timeframe that you have outlined to three points. Point one, with your permission, I would like to give a brief translation which is informal. It was made by myself, of the key passages of the speech made by the Federal President of the Republic of Austria today, on the topic of the allegations brought

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forth against my father. Then I would go briefly into a short statement as to the key charges and address some major points brought forth during the question and answer session in the prior part of this hearing. May I proceed along those lines?

Mr. YATRON. Without objection, Dr. Waldheim.

Mr. WALDHEIM. Thank you. I would like to review very briefly the highlights of the television speech by the President of the Republic of Austria today concerning the charges against my father.

And I quote from this speech. I might remind you in addition that the speech has its origin in an agreement between the World Jewish Congress and the Federal President to try and channel the charges and the continuous flow of documents, supposedly incriminating my father, into a way that could best solve the problem and come to a reasonable conclusion with regard to the domestic side of the problem, and that is my father's on-going campaign for the presidency, with the vote coming in less than 2 weeks.

I would now like to quote after this introduction, the Austrian president:

The tensions that have resulted as a reaction of massive solidarity in our country vis-a-vis an event which was seen as an external influence on our presidential elections and which necessarily also had to have its effects upon our Jewish citizens, is receding.

Nevertheless, I ask yet again today for all of our citizens, especially those who carry political responsibility to encourage this process of domestic pacification with all their power. Anti-Jewish feelings, in all of our history, have never brought benefit, in addition to which they are in the utmost inhumane. Regarding the so-called war crimes file of the United Nations.

He then goes on to describe the charges and then says:

And now to my personal evaluation of this file. I would relate it to you in the words of my former profession. Dr. Kirchschläger was a judge. If I were in the position of an attorney general I would not dare, based upon the evidence that has been supplied to me, to present a case in front of a court, not to mention existing Austrian law.

And then he goes on to explain the reasons. He points out among others:

Waldheim was, as can be clearly deducted from the personnel listings, never an intelligence officer, but a staff officer with the department head of the department Ic, meaning the third general staff officer.

Also, he was not a deputy of the third general staff officer. Also, as a staff officer he had no power of command whatsoever for retaliatory measures. This must have been known to the witness, meaning here the witness who blamed my father for these events, because of his position.

Finally, and to me this seems the most decisive point, the Federal Socialist Republic of Yugoslavia has obviously never undertaken steps to pursue this issue as a plaintiff. This was neither done at a time near the events, at which the extradition of Dr. Kurt Waldheim could have been demanded by the Allied powers occupying Austria at that time, nor done in the present situation.

The President then goes on to say:

Now for the documents which have been handed over to me from the World Jewish Congress. The duty of "03" can be explained as follows. The Ic was the third general staff officer who was responsible for the evaluation of the military enemy situation. He coordinated the cooperation of all units which had to do with the gaining of military information.

The so-called "03" was the staff, or in German, ordnance officer assigned to him. He was not his deputy but his aide. According to an existing job description dated December 1, 1943, the then First Lieutenant Waldheim had the following duties. keeping the so-called day book, enemy situation evaluations, morning and evening reports, and activity reports.

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Based upon this he must have been informed of the whole situation in the area of the responsibility, including the entire military situation in the Balkans,

which is what my father has said, and which is of course understandable given that role.

It is important to point out here now that—these are my words and not a quote,—that this knowledge was not derived by being at the site of these events but by receiving information, paper and radio dispatches from the subordinated units.

A final quote, "Knowledge with regard to retaliatory measures in the partisan war by the German commands must be assumed as having been given," which again my father has confirmed in interviews.

I would then like to go on to quote:

Regarding the Jewish fate, a reference is made twice in the papers provided by the World Jewish Congress. In both cases a connection to Secretary General Kurt Waldheim cannot be construed since I do not have documents about the activities of Dr. Waldheim during that period.

I believe I still have personally a sufficiently good memory as to the events in Europe approximately as of 1930 and especially regarding the events of 1938 and 1939. Based upon these memories, let me state, all peoples of the world must be cautious when allocating blame. Specifically, the renewed breaking up of many old wounds which obviously have only partially healed makes me believe that probably no single European nation, and I would also like to include the United States in this, has completely coped with its past. But maybe all nations should concentrate more upon finally mastering the infinitely large problems of the present and the future. Let us undertake this and let us all undertake it together.

This is a short synopsis of the statement by the President. I would just like to pinpoint now the key allegations which have been brought forth. I will do this very shortly and hand over the supplying documents which I have already handed out to other officials.

The key allegations are, he was a senior officer in the German Wehrmacht. This is not true. He was a lieutenant and a first lieutenant. Another allegation was he was a general staff officer. This charge is not true because the general staff officer rank began with a captain. He never reached that rank.

The next charge is he was an abwehr-offizier or intelligence officer. This is not true. It is also pointed out in the statement by the President. He never was an abwehr-offizier. He never served under an abwehr-offizier. He never was the superior of such an officer.

The next point is that my father might have been a Nazi or at least a supporter of the Nazi movement. We know that this is not true. It is also not true that my father was a member of any organization within the Nazi system. This is proven by documents. All errors in that respect and all misinterpretations have been clarified.

It is also important to note finally that in an August 3, 1940, document from the personnel officer of the National Socialist Party near Vienna, my father was, and I quote, described as follows: "The above-mentioned Kurt Waldheim was, like his father, a supporter of the Schuschnigg regime."—This was the government that was ousted by the Nazis.—"And during the time of that system boasted ample evidence of his hostility towards our movement." In that evaluation, contrary to any other practice in other such eval-

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uations, there is not a single line that would say that my father was a member of any organization or affiliation of the Nazi Party.

We then come to the war times. The charge was raised that my father had possibly been part of the Kozara operation. The contrary is true. We have named the witnesses. Unfortunately I think this has not been accepted or understood. My father was more than 200 kilometers away from the Kozara action in a town called Pljevlje. We have identified the Italian division with which he was serving as an interpreter and as a liaison officer.

The second charge is that he might have ordered partisan executions or military operations. This again is not true and not possible given his assignments and given the complete record of his responsibilities.

At this point let me also state that I cannot go along with one of the statements made earlier that my father has to this point not been forthcoming in clarifying all matters. He has not only put forward a detailed memorandum refuting all these points, which I would like to submit for the record, but also a very detailed three page military curriculum stating all his activities during the war.[1]

While I am doing this and saying this, I would also like to address one other point that came up, the charge of continuously changing the story. I would like to ask for understanding in this point. We are talking about a time which is 40 to 50 years ago. When the charges started coming up in the beginning of March my father, who definitely had not counted with this, started pulling together all the information. He has brought this information out 3 weeks ago. And there is one point in the memorandum and in the curriculum where it said that he also did service in Tirana and Athens.

The point that was alluded to was that in that first version of the document and the curriculum dated April 6, my father had not yet been able to pinpoint the exact dates because we did not have the records and the witnesses. In the meanwhile we have found two witnesses, his colleague in Tirana and his superior in Tirana, both still alive. I have given the names and the telephone numbers to the press.

And these two witnesses have clarified that my father, from April to July of 1943, was in Tirana. And therefore, and this is a very important point which I would like to address to Mr. Lantos who raised that point of credibility. I understand Congressman Lantos' point.

I, also as a son, would have had severe problems in believing that my father had been unaware of deportations if he had been there. The fact is that the record now shows that my father left the Salonika area and Arsakli where he was stationed in the middle of November of 1942 for his study leave. The preevents of the deportations, beginning with the obligation to wear the Jewish star, began on February 6. The deportations themselves, the 16 trains, ran from March 15 to May 15. And my father returned from his assignment in Tirana in July, at the beginning of July. So therefore, for me as a son, and I can assure you that this was not an easy task, I

[1] See appendixes.

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am personally fully convinced that my father not only told the truth when he was asked by a reporter of the New York Times at the beginning of March or end of February whether he was aware of these deportations.

I would also like to ask those who seem to believe that he was hiding something, what, if anything, would he have had to gain by making that statement. Even if he had been aware of these accusations it would have been perfectly all right for him to say that "there were rumors but there was nothing in my position that I could really do about it."

I think that this is a very, very important point. And I would very, very sincerely ask all parties and people involved to give merit to this explanation, to this evidence.

Let me state at this point very clearly that I also have fullest understanding for the motives of the World Jewish Congress to go into these investigations. The point is, I think it would also be very fruitful if the World Jewish Congress could try to accept that all these charges have been refuted and that the evidence is complete as to the innocence of my father, both from the charges with regard to war crimes, as well as to key credibility implications on the question of his presence in Salonika.

I would just like to then say there were two or three other charges. One is the question of Yugoslavia, the villages of Stip and Kocane. The reason why these allegations were not pursued are now obvious. And the reason why they are not in the U.N. files is also obvious. It is because these charges are in legal terms a *res judicata.* That means that verdict was passed upon these charges 1 year after my father seems to have been implied. And the German infantry commander by the name of Captain Egberts, who was commander in the 22d Infantry Division operating along the Bulgarian border where these villages are located, publicly admitted to burning these villages and then was hung in the process in Belgrade. Therefore, this is a *res judicata.*

My father was incriminated by one witness who has, in the meantime, turned out to be a hoax. This witness has publicly admitted that he blamed prisoners who were known to be dead or people who were known to have escaped for any questions upon which he was interrogated as a prisoner of war by the Yugoslavs.

The same holds true to other charges that have been brought forth and that are subject to the Yugoslav U.N. file. I would, at this point, also like to address the point that was made by the representative of the World Jewish Congress. He reminded us that we had had a conversation last week which I remember very well. At this conversation, it was I who suggested we should meet in Washington or New York, possibly today, not knowing that the hearing would happen.

And at this occasion the representative of the World Jewish Congress said that he had to get clearing for this conversation, and that he also had a precondition, which is a sad thing. The precondition was that he would not speak to me unless I would provide him with the copy of the U.N. files.

I said that I could not do this, and I, to this day, do not have a copy of the U.N. files in my possession for the simple reason that

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my father agreed in the process with the Federal President not to publish this until the President had come forth with his statement.

Mr. LANTOS. Mr. Waldheim, I would like to raise a couple of questions if I may about several of your observations.

Mr. WALDHEIM. Please.

Mr. LANTOS. Did I hear you say that in your view your father is completely exonerated?

Mr. WALDHEIM. It is my personal conviction that each of the material charges that have been brought forth against——

Mr. LANTOS. What do you mean, material charges?

Mr. WALDHEIM. Material charges would be, for example, that he was a Nazi, or that he was a member of the Nazi organization. Or that he was the man responsible for the events in Stip and Kocane. Or the fact that he might be responsible for reprisal commands or reprisal orders against Yugoslav partisans.

Mr. LANTOS. You do not think that the documentary evidence shows that he was a member of three Nazi organizations?

Mr. WALDHEIM. That is correct. It does not. It has been verified in Austria that it does not.

Mr. LANTOS. You mean that the documents showing him as a member are false? Is that your point? They are forgeries? Or that you don't view these organizations as Nazi organizations?

Mr. WALDHEIM. Well, the evidence to support the conclusion that he was a member of these organizations was contested. The evidence consisted of a number of factors. One was pictures. The pictures that have been brought forth have very definitely been proven as not to represent my father. The man has come up to say who is on that picture, that it is he, a gentleman in the town of Linz.

And he has the other pictures to go with it in his family album. The other evidence was that there were two dates in his military record which were opened with the permission of my father. Those two dates in that military record have a whole series and host of formal mistakes. They carry no signature, they carry no base document. They carry no reference to membership number. They carry no official seal.

All these are procedures that—knowing the detail—orientation of Nazi or German bureaucracy are very hard to explain and are not precedented elsewhere.

Mr. LANTOS. Mr. Waldheim, what is your explanation for that long period following your father's service on the Soviet front where he does not discuss at all his service in the Balkans?

Mr. WALDHEIM. We discussed this at great length.

Mr. LANTOS. I'm sorry, I wasn't here. I'm asking you.

Mr. WALDHEIM. No, I'm sorry. With my father. I discussed it with my father at great length because surely this was a point that moved me very much.

I do know from my boyhood that my father was never a man of very many words and that he never spoke very much about himself and that he despised and loathed the war. I, as a son, was never capable of getting him to tell me any tall war stories, as for example I would receive from his brother, who was a very different personality.

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I spoke to my uncle very frequently about my father. And I said, but why doesn't daddy talk about these things? He said very clearly, your father hated the war. He saw it coming and he just was very, very concerned——

Mr. LANTOS. But I do not think that is the issue here at all. He had no reluctance to talk about his war experience on the Soviet front. To the naked eye and to the rational mind his clear attempt at deception and coverup is perfectly apparent.

As a matter of fact Ambassador Gruber, in his very protective testimony, indicated that he, too, cannot explain this and is deeply disturbed by this. I want you to understand, as I told you earlier, that I have great sympathy for you for standing up for your father. I think this is admirable, this is proper, this is to be respected.

But I do not think you do him a service by trying to defend items which on the face are nondefensible. He wrote an autobiography, and in the autobiography he left out several key years of his life during the course of which he clearly was implicated, at least by presence, in some heinous crimes.

What is your view of this? Now I would like Mr. Waldheim to answer this, and then if you would like to comment, Ambassador Gruber, you are free to do so.

Mr. WALDHEIM. If I may sir, I would just like to say my very personal opinion. I do know that in this biography my father concentrated on those things that were of importance to him in his memories. He did not touch upon other parts of the war that he served upon either.

He was in the French campaign. He was in the Sudatenland campaign. In both he did not see combat duty. He touched very strongly on the Russian part, and that was publicly known, because that was the only time that he served in combat, was injured, and had a number of traumatic experiences.

I personally asked my father in our conversations whether it is possible that part of the reason why he did not talk about the Balkans themselves is because after this experience in Russia the only thing that was of relevance to him was to finish his studies, to stay alive, and to prepare for the time after the war.

And he said that he felt——

Mr. LANTOS. Are you suggesting that as 6 million people were butchered and sent to the extermination camps, the only thing that mattered to him was to finish his legal studies? And that he was oblivious and noncaring while this was going on?

It defies the rational mind. It defies logic. It defies ordinary human comprehension for you to expect that we swallow this. What was going on there in 1942, 1943 and 1944 were of no consequence to him? That is what you are saying? He so isolated himself that he did not know those things were going on, and if he did he did not care because he was preoccupied with completing his legal studies? Is that your testimony?

Mr. WALDHEIM. He certainly has said that the war, as it went on, became more and more brutal and that atrocities were going on. The only statement that he made was in the very first statement in the New York Times, that he had not been aware when he was asked by the journalist Mr. Tagliabue—I believe that was the name—he had not been aware that there had been deportations

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from Salonika. And the sequence of events is very sad because that statement is being held against him.

We now know why he could not have known about them, because he physically was absent for the totality of before those events began until after they were over. He was absent from the middle of November 1942 to the beginning of July 1943.

Mr. LANTOS. And do you think it is plausible that when he came back he did not notice that a third of the population of the town was gone? Do you think it is plausible that nobody told him what happened?

Mr. WALDHEIM. I asked him that same question. He said, but what would I have had to gain by not admitting it if I had known?

Mr. LANTOS. I don't know. He has to answer. He has to answer some questions that people are asking because his credibility has been totally shattered. I would think that you would do him more useful service by counseling him to admit to some of these very serious mistakes, rather than pretending—because no one else believes it.

If you believe it, you and your father are the only two people who believe it. No one else believes that a man of his intelligence, his education, can write an autobiography and pretend that 3 years, 3 critical, crucial years, did not exist.

You need to understand that your father was not the only person who lived in Europe during that period. There were several others, including myself, who lived there and who knew what was happening, who had conversations with people about what was happening.

This was not an isolated event. This is not like a movie that you choose not to see. This was the central fact of life in the Balkans. This was the pivotal development. This was the focus of activity. To say that he was too busy with his legal studies in Vienna—it boggles the mind that you would think, and he would think, that anybody believes it.

When Senator Moynihan said that your father is a liar, he spoke for the American people. The American people feel your father is a liar. They know he is a liar. That is not the worst crime. Ambassador Gruber mentioned Eichmann. He did not put Mr. Waldheim in the category of Eichmann. We did not compare him to Eichmann. We merely said what apparently is clear.

He joined several Nazi organizations. He tried to hide this. He tried to hide his activities during several years of the war. It would be nice to come clean. He has done useful things for the United Nations along many lines. He has a record which has some positive achievements. We would like to honor him for that.

But it is very difficult if he and as his representative, you, persist in the Big Lie. The Big Lie went out with Goebbels. We do not want to reinaugurate the Big Lie. We would like to have you come clean for him because that is the way you can help him.

Mr. WALDHEIM. Mr. Chairman, I hope I have not been misunderstood. What I meant to say, in case that did not come out clearly, was that the way I understand my father, he has said repeatedly during the last weeks that he was aware of atrocities, that he was aware given his information about proceedings that were certainly very problematic.

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The only point that my father has a difficulty in changing his position is when he spontaneously reacted to that very first question which was earmarked with regard to the knowledge on deportations from Salonika. He said, I did not realize that those have happened. And he says today, "well now finally I know why I did not know them, because I was not there at the time. I really was not aware of them. Why should I come now and say that I was aware of them when in fact I was not?"

That does not mean that I, in any way, do not have the most strong sympathy and understanding and compassion for the crimes inflicted upon the Jewish people, as well as all the people in the Balkans by the Germans in that time, or by the German Reich, including Austria, at the time.

Mr. YATRON. Thank you very much. We are running out of time, but in all fairness to the other members, I would like to call on them for one or two brief questions. So, I will call on Mr. Ackerman first.

Mr. ACKERMAN. Dr. Waldheim, did your father hide his war record from you?

Mr. WALDHEIM. No. I knew my father had been to the Balkans.

Mr. ACKERMAN. Did you know, or were you under the belief that after your father was wounded that he was then out of the Army?

Mr. WALDHEIM. No, I knew that my father had served on the Balkans.

Mr. ACKERMAN. You knew that he had perpetrated this falsehood?

Mr. WALDHEIM. Again, at the time I did not perceive that in such a way because I saw his narrative of key experiences in his life as those key events that he considered relevant. I did not see it in an historical context as it is seen today.

Mr. ACKERMAN. But you knew that he was perpetrating a deception by telling everybody that the war had ended for him, and he played no part after a date certain, after his being wounded. You knew that he was deceiving the public, that he was deceiving the world and he was deceiving everybody who had believed in him when he said that.

Mr. WALDHEIM. I did not see it at that time. I did not think of it. The realization has come upon me now that it can be interpreted that way. And my father has come out to say that he is very sorry that he did not say those things very clearly because he now realizes that that was a terrible mistake.

Mr. ACKERMAN. Did you ever wonder what he did, what your father did, during the war being that he said that he was not in it after that date?

Mr. WALDHEIM. I had talked to him about what he did in the war. Not at great length, but I had talked to him. I knew that he had been to the area of Salonika. I knew that he had been with Italian troops in Yugoslavia.

Mr. ACKERMAN. Did you ever wonder why he was not telling the truth?

Mr. WALDHEIM. I do not think at that time it struck me as him not telling the truth. It was that he did not consider it relevant because he was an interpreter.

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Mr. ACKERMAN. But he said to everybody and in everything—we have documents, we have statements, we have books, we have letters—that after that date he was discharged from the Army.

Mr. WALDHEIM. He was unfit for combat duty. That was his wording.

Mr. ACKERMAN. Well, I do not know if there is any merit in reading you your father's words in all of these documents and articles. But he stated uncategorically, after that date he was discharged from the Army and spent his time elsewhere.

Mr. WALDHEIM. I appreciate the fact that in today's situation this certainly must be considered a very serious mistake.

Mr. ACKERMAN. But did you have any curiosity as to why he was perpetrating this deception?

Mr. WALDHEIM. Again, that thought at that time did not strike me.

Mr. ACKERMAN. Thank you.

Mr. YATRON. The time for the gentleman has expired. Mr. Solarz.

Mr. SOLARZ. Thank you very much Mr. Chairman. Mr. Waldheim, can you tell us when your father first found out about the existence of these allegations against him to the effect that he had engaged in war crimes during the Second World War in the Balkans?

Mr. WALDHEIM. During recent weeks.

Mr. SOLARZ. In other words, you are saying that he had no prior knowledge of the existence of these accusations against him by the Government of Yugoslavia?

Mr. WALDHEIM. That is correct.

Mr. SOLARZ. Did your father ever see the U.N. file on him while he was Secretary General? Or did he ever request to see it?

Mr. WALDHEIM. To my knowledge, it has been confirmed by the gentleman responsible for that area that my father never made a request and never was given a file.

Mr. SOLARZ. Did your father know there was a file about him?

Mr. WALDHEIM. I asked him that question and he said no.

Mr. SOLARZ. He did not know there was a file?

Mr. WALDHEIM. He did not know that there was a file.

Mr. SOLARZ. Would your father be prepared to ask the Yugoslav Government to release all of the documents in its possession concerning his wartime activities?

Mr. WALDHEIM. I have already asked that question. I could not reach him by phone because he is canvassing in the country. But I did put that question to him via his chief aid in Austria, suggesting that this might be something he could look into.

Mr. SOLARZ. I gather you think it would be useful for him to do that.

Mr. WALDHEIM. I certainly do.

Mr. SOLARZ. But you do not know whether he would be prepared to do so.

Mr. WALDHEIM. I think it is important to keep in mind that it is probably easier for him to decide that now that the Austrian President has made his decision. Because prior to that, my father was limited in his possibilities to take any course of action.

Mr. SOLARZ. What decision are you referring to?

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Mr. WALDHEIM. The President had agreed together with the World Jewish Congress to take over the responsibility of looking through as a sort of a moral judge both the U.N. file and approximately 600 pages of so-called evidence, supposedly corroborating the charges brought forth by the World Jewish Congress.

Mr. SOLARZ. Well, let me just say that I think it would be a gesture of good faith on your father's part if he were to make such a request. Because I think, particularly if he intends to continue asserting his innocence of these allegations, it is very much in his interest for this thing to be publicly aired so that the charges, if untrue, can be refuted.

Mr. Chairman, I just have one final question. My other colleagues have asked Mr. Waldheim several questions about why his father chose, in effect, to create a misleading impression by suggesting that his military service ended after he was wounded in 1941.

Just before the hearing began, Mr. Chairman, Mr. Waldheim, Jr., was good enough to hand me a copy of a letter that his father had sent me on April 21 in response to my letter of April lst. I had not unfortunately yet received the original copy, but I did appreciate his giving the copy to me.

In the letter that I had sent Mr. Waldheim's father, I had of course asked him, why he had created the impression that he left the German Army after being wounded in 1941, and why he had not told the truth about his subsequent service.

Now, in the letter that you gave me, Mr. Waldheim, I just want to quote two paragraphs and then ask you a question. Your father said here.

> I deeply regret the fact that you felt misled by my response to your letter of November 1980. I realize in retrospect that I could have spared myself and many of my friends considerable inconvenience had I provided more specific information about my service in the German Army.
>
> The reason for this practical omission has nothing to do with my having to hide something, but rather with my hesitation, in general, to talk in detail about my military service. In my country it is not usual—I repeat, it is not usual—to provide military details in one's curriculum vitae if one applies for a post in the civil service, as I did in Austria in 1945, or in private business.
>
> To mention the fact of one's military service is all that is expected.

In other words, as I understand what your father is saying here, in Austria it is not customary to provide the precise and full details of one's military service. When one is asked about it, it is simply sufficient to indicate that one served in the military.

Yet, in the letter your father sent me on December 19, 1980, in response to the original letter I sent him, in which I asked him about allegations concerning his war record, he says here.

> I had served voluntarily for 1 year in an Austrian cavalry regiment in 1936 before going to University. Like other Austrians in the same position, I was drafted by the Nazi authorities at the beginning of the war and had no possibility to escape the draft which was enforced.
>
> I was attached to the 45th Regiment of the Wermacht. This was a reconnaisance unit and I served on horseback in its cavalry element. It certainly had no contact or connection with extermination units.

And then he goes on to say that he was wounded.

Now, it seems to me that in the original letter he sent to me, he did more than just indicate that he served in the Army. He indicat-

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ed the front on which he served, he indicated the name of the unit in which he served, he indicated that it was a reconnaisance unit, he indicated he served on horseback and he indicated he had served in a cavalry element.

Now, if it is the practice in Austria just to note one's military service, why did he provide all of this detail in the original letter? And if he provided all of the detail in the original letter concerning his service on the eastern front, I repeat again, why did he not provide some minimal details about his service in the Balkans unless he was in fact concerned that were he to disclose the existence of his duty in the Balkans it might lead to embarrassing questions and revelations?

If the answer is that Austrians do not usually divulge the details of their military service, then why did he divulge the details of his earlier service on the eastern front? And that is my final question, Mr. Chairman.

Mr. WALDHEIM. If I may answer very briefly. In some of the biographies in some of the books that were published by him, he did address the fact that he had been in the area of Trieste at the end of the war. I addressed this point very clearly because I also was trying to find out exactly what his motives were and how he thought on this.

And he said, that is very easy, I can explain it to you. Because very much at the end of the war I received a last transfer from my staff duty to a combat unit, a last ditch effort combat unit. And that was supposed to have been in the area of Trieste.

I never got through to Trieste, and by the time I came back to have my orders renewed, the war was over on, I think, May 7 or May 8, 1945. So again, it is the same pattern for me that for him the war involvement seemed crucial or seemed critical with regard to the combat side. And that it was his assumption at the time that he wrote those curriculums for the books or those bios, that his noncombatant activities, having been what they were, were not relevant.

He now realizes that that was a heavy mistake.

Mr. YATRON. Thank you. I would like to yield to Mr. Ackerman for one brief question, and I have two questions. Then we are going to conclude because we must get out of this room. We are 25 minutes late now. Mr. Ackerman.

Mr. ACKERMAN. Thank you very much for your indulgence, Mr. Chairman. Mr. Waldheim, the subcommittee has been advised that you have a copy of the U.N. report. Would you make that available to us?

Mr. WALDHEIM. I, unfortunately, am not in the possession of such a report. I will, however, see to it that we get this copy as quickly as possible so as to have it supplied to the congressional records.[1]

Mr. ACKERMAN. Thank you very much.

Mr. YATRON. Mr. Waldheim, if the allegations against Dr. Waldheim are false, why would the World Jewish Congress, as well as other organizations, make these accusations?

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[1] The material was not received by the time of publication.

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Mr. WALDHEIM. Again, as a personal opinion, I would have to say that I have the fullest and deepest understanding for the World Jewish Congress insofar as it is trying to find any possible aspect in the record of someone of the war generation coming from a former part of the German Reich.

Being of a newer generation, I am not burdened there, and I fully understand the motives of why one would want to make sure that any guilt there that exists is followed up upon. The only thing that we regret or that I regret is that it has been so difficult until now to try to get a fair discussion of this on terms that are not emotional or not as emotional. And try to clarify point by point the facts that are brought forth and evaluate together the evidence to prove or disprove those charges.

I cannot speak about other motives of the Jewish World Congress because the organization was not known to me or known to anyone that I was related to. And I do not know any other motives.

Mr. YATRON. Dr. Waldheim, I understand you recently met with the U.N. Secretary General, Perez de Cuellar, regarding your father's case. Could you comment on that meeting?

Mr. WALDHEIM. Yes. I had asked the Secretary General for a very short meeting, if he would give it to me, so as to do two things. That is one, to hand over a letter from my father, a letter which contained exactly the memorandum that I handed over to certain gentlemen in Washington, including those of the Justice Department, the version dated April 6, with a cover letter from my father expressing his sympathy for the difficulty that all this had been causing to the Secretary General and to the United Nations.[2]

Mr. YATRON. I want to thank you very much, Dr. Waldheim and Dr. Gruber, for coming here today. We appreciate your presence and your testimony.

Thank you very much. The subcommittee stands adjourned.

[Whereupon, at 5:56 p.m., the subcommittee was adjourned.]

[2] See appendix 2.

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APPENDIX 1

REPORT SUBMITTED BY GERHARD WALDHEIM ENTITLED "DR. KURT WALDHEIM ON RECENT ALLEGATIONS LEVIED AGAINST HIM," APRIL 12, 1986

1. UN ARCHIVES- "The claim that the United Nations archive on war-criminals was locked in 1980 during my last year as Secretary General is false: from the establishment of that archive until today, it has been open to certain governments (the governments of the 17 member countries of the former UN-War-Crimes-Commission and, beyond them, to the "Governments Concerned"), but not to individuals. I did not in any way change these procedures. The then Chief of the Legal Department of the United Nations in New York, Mr. Suy, now Director General of the United Nations office in Geneva, is prepared to confirm this."

2. THE "ZWONIMIR" MEDAL - "The claim that my name being on a list of people who received a "Zwonimir"-medal and that a list of officers who were supposedly commemorated by the Croatian faction collaborating with Germany in 1942 would prove that I was a 'leading figure in the command-hierarchy against the partisans' is false: as was clearly visible on the commemorative list televised in Austria, my name showed up only at the end of the list of about 30 names and I was in company of other low ranking staff-officers including the staff's medical doctor and the staff's priest. As it turned out in the meantime, many low ranking staff-officers without special merits were granted such medals.

"Even more important, witnesses in Pljevlje/Montenegro have meanwhile confirmed that I was in that town, more than 200 km south of Banja Luka and the 'Kozara area', as interpreter and liaison officer to the Italian Mountain Infantry Division 'Pusteria' for three months, approximately from late April 1942 onwards. This proves my original claim that I was awarded the medal only due to my formally being assigned to the 'Kampf-

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gruppe Westbosnien' in Banja Luka, Croatia. I was neither involved in the 'Aktion Schwarz' nor in the 'Aktion Weiß' in Croatia."

3. PARTISAN-KILLINGS AND DEPORTATIONS - "The claim that I may have ordered partisan-killings or military operations against partisans and civilians or that I may have been involved in intelligence work with regard to the deportations of Jews, based upon my signature appearing on daily enemy situation-reports in Greece is false: every military worldwide prepares such regular reports on the enemy military situation; from July 1943 to April 1945 I worked in the staff of the Heeresgruppe E as one of the staff officers, referred to as 'O 3' in the department I c. In this position, I was occupied with compiling information submitted by the operative commands, subordinated to the Heeresgruppe E (which was comprised of between 200,000 and 450,000 men depending on the respective phase of the war), drafting the daily reports on the enemy situation for my superior, the I c, and signing 'copy certified correct' on the report authorized by my superior. The I c in turn added his evaluation of the situation and presented it to the supreme command of Heeresgruppe E. On some occasions, I was called on to participate in these presentations. Clearly, this was a regular staff job without any commanding power other than vis-à-vis my two or three aids. With regard to taking operational decisions based upon these reports and evaluations, my superior, the I c himself, had no commanding authority either: this was solely in the competence of the Chief of Staff and the high commander of the Heeresgruppe E.

"On the documents presented by the World Jewish Congress on 25 March and on 1 April, my signature is clearly written under the three letters 'F.d.R.' meaning 'für die Richtigkeit der Ausfertigung', or, in translation 'copy certified correct', which anyone will verify as what it means in any bureaucracy. My then superior, Lt. Col. Warnstorff, whose name is on these

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documents as head of my staff department, and a host of other eye-witnesses have come forth to testify to this."

4. THE AO CHARGE - "The claim that I was 'Abwehr-Offizier' (abbreviated 'AO') is as false as the claims that I served under the Abwehr-Offizier or was superior to him.

"It is true, however, that the 'AO' also reported to the I c, albeit only with regard to matters pertinent to the enemy military situation.

"Aside from this, the "AO's' special role is explained by the fact that he also had reporting lines both to the high commander of the Heersgruppe as well as to the chief intelligence officer in the supreme command of the Wehrmacht itself. This detail is necessary to understand why the I c himself was not usually informed about the AO department's activities and information other than those of relevance to the enemy military situation. The partial autonomy of the 'AO' vis-à-vis his line superior, I c, is also clearly established in the regulations manual quoted below. This autonomy is further underlined by the abbreviations used in documents: 'I c/AO'.

"The military commands subordinated to Heeresgruppe E, in essence army corps and divisions, in turn had 'Abwehroffiziere' who reported directly to the Abwehr-Offizier ('AO') at Heeresgruppe E, Major Hammer. From this chain of intelligence service command, rules and regulations permitted only the flow of those authorized information from the AO to the I c, which was pertinent to the enemy situation. All this may be verified by the official organizational procedures of the general staff of the Wehrmacht. ('Handbuch für den Generalstabsdienst im Kriege'). This seems to be one of many reasons why I was not aware of such atrocities as deportations, even if the 'AO' knew about them.

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"Let me reiterate, that I was subordinate and responsible only to the I c, Lt. Col. Warnstorff."

5. A SENIOR FIGURE ? - "The claim that I - as a lieutenant and, later on, as a full lieutenant - was supposed to have been a 'senior figure in the Nazi-War-Crime-Machinery' is obviously false. Lieutenant und full lieutenant were the lowest ranks among army officers. In staff functions, they had practically no commanding power at all. This was only the case if such officers were serving as platoon- and sometimes company commanders in the field. The claim that I was 'Generalstabs-offizier' or 'General Staff Officer' of the Supreme Command of Heeresgruppe E is equally false" I was a subordinated officer serving in that staff. Officers of the general staff hierarchy only began with the rank of a 'Captain in the General Staff', which I never reached. The only reason for my transfer to the Balkans was my knowledge of Italian in conjunction with my having been declared unfit for combat duty after having been wounded on the Eastern front in December 1941. These are facts I have reiterated many times."

6. AN "INTERROGATOR"? - "The claims that I carried out such duties as interrogations of P.O.W.'s or captive partisans in the Balkans are false for several reasons: in the first half of 1942, when I spent time in Montenegro for approx. three months, I was interpreter, and - later - liaison officer to the Italians as detailed earlier. I spoke neither Serbian, nor Croatian, nor other slavic languages common there. Also, such interrogations could obviously not have been in my line of duty vis-a-vis the Italians.

"Later, in Arsakli/Greece, I was again interpreter for Italian, since the Italians were at that time allies of the Germans, and I repeatedly interpreted at meetings between the Germans and the Italians, f. e. in Arsakli, Athens, Tirana and Podgorica.

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"Finally, it is completely in line with military practice that interrogations of P.O.W.s were conducted at the corps and division levels, and not at the command of Heeresgruppe E for many reasons, among them foremost security and logistics. This fact has been confirmed by all eye-witnesses from those days who have independently gone before the media.

"To the best of my knowledge, there were no P.O.W. - or partisan interrogations carried out at the Heeresgruppe command in Arsakli.

"I wish to add explicitly, that, upon entering the Austrian Civil Service in late 1945, I remember filling out a detailed personnel questionnaire form to the point that I also mentioned having some knowledge of Serbo-Croatian. My mentioning this elementary knowledge was in reference to the basic phrases I had picked up during my assignment in Pljevlje/Montenegro. This information is given as a matter of record to prevent future malicious speculations."

7. THE DEPORTATION OF SALONIKA JEWS - "I said the truth when I claimed to have been unaware of the deportation of Jews from Salonika until very recently. This statement was my spontaneous reaction when I was first confronted with such information a few weeks aso, which I unconditionally wish to confirm today and which I do not intend to change, even if this might facilitate my position.

"Several eye-witnesses from those days in Salonika and Arsakli, among them Messrs. Warnstorff, Wiebe, Schmettau, Kaupe, Sattmann, Vicenzi, Groeschel, etc. have come forth on their own to confirm to the media that they too were unaware of such deportations.

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"In looking through the pertinent literature and research on the subject, I find the following reasons to explain, why even higher general staff officers of the Heeresgruppe were not knowledgeable about these deportations:

a) the separation of reporting lines within the I c-group explained earlier;

b) the clear geographical separation of Salonika and Arsakli;

c) the isolation of the Heeresgruppe command in Arsakli, mainly for security reasons;

d) the frequently overlooked, but vital differentiation between the command of Heeresgruppe E in Arsakli on the one hand, and the military command for Salonika in Salonika (Oberkommando Saloniki/Agais), which had the responsibility for the civilian administration, and to which the Kriegsverwaltungsrat Mertens reported. As I have now learned, both Mertens and the commander of Salonika/Agais, Lt. Gen. Krenzke, were convicted for their participation in these deportations. On the other hand, the Chief of Staff of the Heeresgruppe E, General Herman Foertsch, was cleared at the Nurnberg Tribunal;

e) more important, the campaign against me in this matter of credibility requires that I add a personal reason for my unawareness: of the approx. two years of assignment to the staff in Arsakli I was on study - and wedding leave in Austria for more than eight months and on interpretating duty in Tirana for three months; going by the dates of the deportations which we have found in literature such as Raoul Hillberg's 'Die Gesamtgeschichte des Holocaust' and Gerald Reitlinger's 'The Final Solution - The Attempt to Exterminate the Jews of Europe 1939 to 1945' it is evident that I was away from Arsakli both for the

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whole of the terrible deportation atrocities and preceeding events in Salonika in 1943 (departure in mid Nov. 1942, returned via Tirana in early July 1943) as well as for events from March 23 to March 25 1944, when the majority of the Jews in the formerly Italian-occupied remainder of mainland Greece were deported (departure end of February 1944, returned mid April 1944).

"Recently, claims have been made that I should have known at least about the deportations of Jews from the major Greek islands, since the military commanders there were in direct reporting line of the commander of Heeresgruppe E, and since documents seem to have surfaced, in which the AO on the islands reports to Heeresgruppe E - I c/AO about deportations to begin or deportations completed. To this point, I can only state that I was definitely not aware that they had taken place, presumably for the reasons explained earlier, when outlining the chain of command of the Abwehroffizier and the nature of information received by myself from that source, which was solely military in nature. This statement is corroborated by the fact that one of these documents, which was produced at a press conference in Vienna on April 3 and shown to Lt. Co. Warnstorff on that occasion did not carry his usual paraph, which underlines my earlier explanations as to the independent role of the Abwehroffizier.

"I deeply deplore the infinite atrocities which were inflicted upon the Jewish People and certainly did so long before these revelations about Salonika, both upon my visit to Israel and elsewhere."

8. JUGOSLAV WAR CRIMINAL LIST - "The claim, based upon my name surfacing on a Jugoslav list of supposed war criminals, that I was actively involved in orders to burn down those villages in Jugoslavia and thereby bear responsibility for the civilian

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a) obviously the Jugoslav authorities were aware of the incorrectness of those allegations (for reasons explained below). Otherwise, they would not have hesitated to raise this point with the Austrian Government when I was a junior civil servant in the late 40's, or later, they would have objected to my repeatedly visiting Jugoslavia as Foreign Minister, or as personal guest of Marshall Tito, or as Secretary General. Also, they would have objected to my being elected as Secretary General twice, etc.

b) At the date of these atrocities, I was not in the area as can be testified by witnesses and documents: part of the staff of Heeresgruppe E, including myself, were withdrawn from Arsakli (via the airport of Sedes) to Mitrovica (via the airport of Obilic, near Pristina) by plane on October 13, 1944. This information comes from the chief pilot's (Captain Prem, who is still alive) log book and witnesses. On the other hand, the villages of Stip and Kocane, which were burned down, lie close to the Bulgarian border about half way between Salonika and Pristina, and these villages were burned around October 20, 1944, according to army records.

The commander of a unit of the 22nd German Division, Captain Egberts, who seems to have given orders for this event, was convicted to death and executed in Belgrade in 1948. Therefore, this is a res judicata, a case upon which a verdict has been made. This is also evidenced by the newly released UN files wherein this charge is not made, implying that it was dropped by the Jugoslav authorities as unfounded.

c) The testimony against me on this incident supposedly came from two persons: a convicted war criminal, 'Eckbert Hilker', whom not a single member of the surviving officers and staff of Arsakli including the personnel administrator, Mr. Kaupe, can remember, and who does not appear on any staff lists we have seen to date; and on the testimony by

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a Mr. Johann Meyer. The latter was not, as stated, my subordinate, and not in the I c department. According to information I have unearthed in the meanwhile, he became personnel administrator succeding the above mentioned Mr. Kaupe in July of 1944, shortly before I went on wedding leave to Austria. In the one month in Arsakli between my return from wedding leave in the middle of September and the beginning of withdrawal from Arsakli in mid October 1944, I do not remember having ever seen him. He could not even have seen me at Stip and Kumane, even if I had not relocated by plane to Mitrovica, since these villages were not even on the route of withdrawal of the other staff units which traveled by truck rather than by plane. One possible explanation for this fictitious testimony could be the fact that Mr. Meyer, according to former friends of his, became a war prisoner of Jugoslavia, cooperated with them and then became a prison camp functionary, being released only with the last group of prisoners on January 15, 1949. This assumption has been verified (see 'Profil' magazine April 7, 1986). There is also evidence that Mr. Meyer's post-war record includes a series of trials for embezzlement of federal funds and libel."

9. THE TRIESTE TRANSFER - "It is claimed that I may have something to hide in using the phrase 'transfer to the region of Trieste' in describing my last days in the war. I had nothing to hide then and have nothing to hide today:

"I was staff officer of the Heeresgruppe E, the Balkan army originally stationed in Greece, also during that army's retreat as of October 1944 until April 1945. At that time, when the staff pulled out of the city of Agram, I received orders to join an infantry division in the area of Trieste. Witnesses can definitely remember me still being with the staff on 20 April 1945, so the departure must have been thereafter. At that time, during the last weeks of the war, many officers

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and soldiers assigned to staff-positions were transferred to army-units, including men such as I, who had formerly been declared unfit for combat-duty.

"As can be reconstructed from the military maps and documents of the time, it was by then no longer possible to reach Trieste directly from Agram. I therefore proceeded north to the city of Klagenfurt in Carinthia to have my travel-papers confirmed. There, I again received instructions to proceed to Trieste via a different, more western route. Upon arriving north of Trieste, enemy lines had already passed that city, cutting off the infantry division to which I was to report. Thereupon, I proceeded north again to report my inability to reach the assigned unit; on this route, near the Carinthian city of Villach, the end of the war was announced, whereupon I marched on north into the Alpes to meet with my wife, shortly before mid-May 1945.

"When I gave a brief description of my war duties in my book 'In the Eye of the Storm' as well as in earlier books, I always emphazised only one key experience of those years which had dramatic impact on my future life: my injury in Russia under extreme winter war-time conditions, after which I was saved by an unknown comrade, who pulled me out of the battle-zone for days on a sleigh; surviving all this was unbelievably good fortune, and this was the reason that I was subsequently declared unfit for combat duty and was thereafter able to finish my law studies through a series of leaves from the army. There were no other assignments than staff service and interpreting duties, which I did not feel worthwhile reporting, just as much as I did not elaborate on my service in the Sudetenland and in France, which for my unit saw practically no combat action. Neither did I mention my excellent academic record at the Vienna Counsular Academy nor my lay activities in the Roman Catholic Church or details of my anti-Nazi record. My critics, on the other hand, judge me by the fact that I was on the Balkan front on which atrocities occured, which I deplore. Since I had no involvment therein, I did not consider this

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relevant when writing a brief chronological overview of key events in my life.

"Had I ever imagined the campaign which has evolved from this chain of 'non-events', you can be assured that I would have acted differently. Still, I am confident that many men with war-time experience will understand me when I say that I was never keen on expanding on war-time stories."

10. NAZI YOUTH GROUPS - "In order to set the record straight on all accounts, I state that Mr. Singer repeatedly did not say the truth about me in the folowing point:

"Mr. Singer claimed, that I had admitted being a Nazi - the contrary is true: as evidenced by documentation, I was neither a member of the Nazi-party (NSDAP) nor of the brown-shirts (SA), nor of the NS-Student's-Union.

"It is true, however, that I participated in riding exercises of a riding group at the Vienna Consular Academy and in a few evening discussions of the Student's Union between 1938 and 1939, without ever becoming a member of those organizations due to my being drafted into the army, first for a few weeks in the fall of 1938 and then, permanently, in the fall 1939. It was by these odd participations that I consciously avoided becoming a member of these organizations which was normally required as precondition for studying at Higher Schools of Education in those days. This was also a means of protecting my parents, brothers and sisters from further Nazi persecution, which at that time was by no means restricted to Jews and which automatically implicated the whole family of the person initially persecuted.

"From the documents brought forth to prove this point, I wish to mention only one: a political evaluation of myself by the chief of personnel of the Nazi Provincial Governor of Lower Austria from 1940 has surfaced, evaluating me as politically unreliable in the terms of the national-socialistic movement and not even mentioning these alleged memberships. This is ample proof of the fact that there were no such memberships."

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11. UN BLACKMAIL - "It was also hinted recently that certain governmental intelligence agencies through their confidential knowledge of the aforementioned allegations may have been in a position to exert pressure or even blackmail me as Secretary General of the United Nations; these allegations are as absurd as the accusations themselves. There was not one single attempt during my 10 years as Secretary General of such pressures by any government organization or anyone else."

12. P.O.W. SHOOTINGS - "Finally it has been alleged that in 1947 a P.O.W. by the name of Johann Meyer, when imprisoned in a Jugoslav prison camp, claimed that I was involved in orders to shoot persons in retaliation for desertion of German soldiers. This was supposed to have taken place in November of 1944. Again these charges have been proved to be unconditionally false. They are based upon the false assumption of my duties as described earlier and on the false testimony of Mr. Meyer who has admitted that his accusation of others who were either dead or who had escaped imprisonment was made to save his own skin while imprisoned as a P.O.W. in 1947 (see also point 8, on page 9, last paragraph).

"In conclusion, it is proven that all the insinuations, allegations and accusations brought forth against me have, as Mr. Wiesenthal confirmed, proven without substance. The materials brought forth against me have to be considered irrelevant to these claims. In the middle of an election campaign, it has been a difficult and time-consuming task to clarify this, especially since it could have seriously impeded my aim to carry on a constructive, fair and unemotional political discussion."

"I explicitly reject the WJC's contentions that, in producing this memorandum, I have 'changed my story'. Nothing has been changed. But details of my story have been added as the result of the research done to prove clearly the falseness of the accusations. The WJC supposedly took 6 weeks to construe their false accusations, I have proven them untrue in just four weeks and reserve the right to add proof of the falseness of any such allegations, should they continue.

"Finally, I ask the WJC to acknowledge publicly that all accusations against me are unfounded."

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APPENDIX 2

Report Submitted by Gerhard Waldheim Entitled "Position of Dr. Kurt Waldheim on Recent Allegations Levied Against Him," April 6, 1986

1. The claim that the United Nations archive on war-criminals was locked in 1980 during my last year as Secretary General is false: from the establishment of that archive until today, it has been open to certain governments (the governments of the 17 member countries of the former UN-War-Crimes-Commission and, beyond them, to the "Governments Concerned"), but ~~not to individuals~~. I did not in any way change these procedures. The then Chief of the Legal Department of the United Nations in New York, Mr. Suy, now Director General of the United Nations office in Geneva, is prepared to confirm this.

2. The claim that my name being on a list of people who received a "Zvonimir"-medal and that a list of officers who were supposedly commemorated by the Croatian faction collaborating with Germany in 1942 would prove that I was a "leading figure in the command-hierarchy against the partisans" is false: as was clearly visible on the commemorative list televised in Austria, my name showed up only at the end of the list of about 30 names and I was in company of other low ranking staff-officers including the staff's medical doctor and the staff's priest. As it turned out in the meantime, many low ranking staff-officers without special merits were granted such medals.

   Even more important, witnesses in Pljevlje/Montenegro have meanwhile confirmed that I was in that town, more than 200 km south of Banja Luka and the "Kozara area", as interpreter and liaison officer to the Italian Mountain Infantry Division "Pusteria" for three months, approximately from late April 1942 onwards. This proves my original claim that I was awarded the medal only due to my formally being assigned to the "Kampfgruppe Westbosnien" in Banja Luka, Croatia. I was neither involved in the "Aktion Schwarz" nor in the ~~"Aktion Weiß"~~ in Croatia.

(Approx. 300 Km by road)

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3. The claim that I may have ordered partisan-killings or military operations against partisans and civilians or that I may have been involved in intelligence work with regard to the deportations of Jews, based upon my signature appearing on daily enemy-situation-reports in Greece is false: every military worldwide prepares such regular reports on the enemy military situation; from April 1943 to April 1945 I worked in the staff of the Heeresgruppe E as one of the ordonance officers, referred to as "O 3" in the department I c. In this position, I was occupied with compiling information submitted by the operative commands, subordinated to the Heeresgruppe E (which was comprised of between 200.000 and 450.000 men depending on the respective phase of the war), then drafting the daily reports on the enemy situation for my superior, the I c, and signing "copy certified correct" on the report authorized by my superior. The I c in turn added his evaluation of the situation and presented it to the supreme command of Heeresgruppe E. On some occasions, I was called on to participate in these presentations. Clearly, this was a regular staff job without any commanding power other than vis-à-vis my two or three aids. With regard to taking operational decisions based upon these reports and evaluations, my superior, the I c himself, had no commanding authority either: this was solely in the competence of the Chief of Staff and the supreme commander of the Heeresgruppe E.

On the documents presented by the World Jewish Congress on 25 March and on 1 April, my signature is clearly written under the three letters "F.d.R." meaning "für die Richtigkeit der Ausfertigung", or, in translation "copy certified correct", which anyone will verify as what it means in any bureaucracy. My then superior, Lt. Col. Warnstorff, whose name is on these documents as head of my staff department, and a host of other eye-witnesses have come forth to testify to this.

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4. The claim that I was "Abwehr-Offizier" (abbreviated "AO") is as false as the claims that I served under the Abwehr-Offizier or was superior to him.

It is true, however, that the "AO" also reported to the I c, albeit only with regard to matters pertinent to the enemy military situation.

Aside from this, the "AO's" special role is explained by the fact that he also had reporting lines both to the supreme commander of the Heersgruppe as well as to the chief intelligence officer in the supreme command of the Wehrmacht itself. This detail is necessary to understand why the I c himself was not usually informed about the AO department's activities and information other than those of relevance to the enemy military situation. The partial autonomy of the "AO" vis-à-vis his line superior, I c, is also clearly established in the regulations manual quoted below. This autonomy is further underlined by the abbreviations used in documents: "I c/AO".

The military commands subordinated to Heeresgruppe E, in essence army corps and divisions, in turn had "Abwehroffiziere" who reported directly to the Abwehr-Offizier ("AO") at Heeresgruppe E, Major Hammer. From this chain or intelligence service command, rules and regulations permitted only the flow of those authorized information from the AO to the I c, which was pertinent to the enemy military situation. All this may be verified by the official organizational procedures of the general staff of the Wehrmacht. ("Handbuch für den Generalstabsdienst im Kriege").
This seems to be one of many reasons why I was not aware of such atrocities as deportations, even if the "AO" knew about them.

Let me reiterate, that I was subordinate and responsible only to the I c, Lt. Col. Warnstorff.

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5. The claim that I - as a lieutenant and, later on, as a full lieutenant - was supposed to have been a "senior figure in the Nazi-War-Crime-Machinery" is obviously false. Lieutenant und full lieutenant were the lowest ranks among army officers. In staff functions, they had practically no commanding power at all. This was only the case if such officers were serving as platoon- and sometimes company commanders in the field. The claim that I was "Generalstabsoffizier" or "General Staff Officer" of the Supreme Command of Heeresgruppe E is equally false: I was a subordinated officer serving in that staff. Officers of the general staff hierarchy only began with the rank of a "Captain in the General Staff", which I never reached. The only reason for my transfer to the Balkans was my knowledge of Italian in conjunction with my having been declared unfit for combat duty after having been wounded on the Eastern front in December 1941. These are facts I have reiterated many times.

6. The claims that I delivered such duties as interrogations of P.O.W.'s or captive partisans in the Balkans are false for several reasons: in the first half of 1942, when I spent time in Montenegro for approx. three months, I was interpreter, and - later - liaison officer to the Italians as detailled earlier. I spoke neither Serbian, nor Croatian, nor other slavic languages common there. Also, such interrogations could obviously not have been in my line of duty vis-à-vis the Italians.

   Later, in Arsakli/Greece, I was again interpreter for Italian, since the Italians were at that time allies of the Germans, and I repeatedly interpreted at meetings between the Germans and the Italians, f. e. in Arsakli, Athens, Tirana and Podgorica.

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Finally, it is completely in line with military practice that such interrogations were conducted at the corps and division levels, and not at the command of Heeresgruppe E for many reasons, among them foremost security and logistics. This fact has been confirmed by all eye-witnesses from those days who have independently gone before the media.

To the best of my knowledge, there were no P.O.W.- or partisan interrogations carried out at the Heeresgruppe command in Arsakli.

I wish to add explicitly, that, upon entering the Austrian Civil Service in late 1945, I remember filling out a detailled personnel questionnaire form to the point that I also mentioned having some knowledge of Serbo-Croatian. My mentioning this elementary knowledge was in reference to the basic phrases I had picked up during my assignment in Pljevlje/Montenegro. This information is given as a matter of record to prevent future malicious speculations.

7. I said the truth when I claimed to have been unaware of the deportation of Jews from Salonika until very recently. This statement was my spontaneous reaction when I was first confronted with such information a few weeks ago, which I unconditionally wish to confirm today and which I do not intend to change, even if this might facilitate my position.

Several eye-witnesses from those days in Salonika and Arsakli, among them Messrs. Warnstorff, Wiebe, Schmettau, Kaupe, Sattmann, Vicenzi, Groeschel, etc. have come forth on their own to confirm to the media that they too were unaware of such deportations.

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In looking through the pertinent literature and research on the subject, I find the following reasons to explain, why even higher general staff officers of the Heeresgruppe were not knowledgeable about these deportations:

a) the separation of reporting lines within the I c-group explained earlier;

b) the clear geographical separation of Salonika and Arsakli;

c) the isolation of the Heeresgruppe command in Arsakli, mainly for security reasons;

d) the frequently overlooked, but vital differentiation between the command of Heeresgruppe E in Arsakli on the one hand, and the military command for Salonika in Salonika (Oberkommando Saloniki/Ägäis), which had the responsibility for the civilian administration, and to which the Kriegsverwaltungsrat Mertens reported. As I have now learned, both Mertens and the commander of Salonika/Ägäis, Lt. Gen. Krenzke, were convicted for their participation in these deportations. On the other hand, the Chief of Staff of the Heeresgruppe E, General Herman Foertsch, was cleared at the Nürnberg Tribunal;

e) more important, the campaign against me in this matter of credibility requires that I add a personal reason for my unawareness: of the approx. two years of assignment in Arsakli I was on study- and wedding-leave in Austria for more than eight months; going by the dates of the deportations which we have found in literature such as Raoul Hillberg "Die Gesamtgeschichte des Holocaust" and Gerald Reitlinger, "The Final Solution - The Attempt to Exterminate the Jews of Europe 1939 to 1945" it is evident that I was away from Arsakli both for a major part of the terrible

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deportation atrocities and preceeding events in Salonika in 1943 (departure in mid Nov. 1942, returned April 1943) as well as for the events from March 23 to March 25 1944, when the majority of the Jews in the formerly Italian-occupied remainder of mainland Greece was deportated (departure End of February 1944, returned mid April 1944).

Recently, claims have been made, that I should have known at least about the deportation of Jews from the major greek islands, since the military commanders there were in a direct reporting line to the commander of Heeresgruppe E, and since documents seem to have surfaced, in which the local I c reports to Heeresgruppe E - I c/AO about deportations to begin or deportations completed. To this point, I can only state that I was definitely not aware that they had taken place, presumably for the reasons explained earlier, when outlining the chain of command of the Abwehroffizier and the nature of information received by myself from that source, which was solely military in nature. This statement is corroborated by the fact that one of these documents, which was produced at a press-conference in Vienna on April 3 and shown to Lt. Col. Warnstorff on that occasion did not carry his usual paraph, which underlines my earlier explanations as to the independent role of the Abwehroffizier.

I deeply deplore the infinite atrocities which were inflicted upon the Jewish People and certainly did so long before these revelations about Salonika, both upon my visit to Israel and elsewhere.

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8. The claim, based upon my name surfacing on a Jugoslav list of supposed war criminals, that I was actively involved in orders to burn down three villages in Jugoslavia and thereby bear responsibility for 140 civilian victimes is false:

   a) obviously the Jugoslav authorities were aware of the incorrectness of those allegations (for reasons explained below). Otherwise, they would not have hesitated to raise this point with the Austrian Government when I was a junior civil servant in the late 40ies, or later, they would have objected to my repeatedly visiting Jugoslavia as Foreign Minister, or as personal guest of Marshall Tito, or as Secretary General. Also, they would have objected to my being elected as Secretary General twice, etc.

   b) At the date of these atrocities, I was not in the area as can be testified by witnesses and documents: a part of the staff of Heeresgruppe E, including myself, withdrew from Arsakli (via the airport of Sedes) to Mitrovica (via the airport of Obilic, near Pristina) by plane on October 13, 1944. This information comes from the chief pilot's (Captain Prem, who is still alive) log book and witnesses. On the other hand, the villages of Stip and Kocane, which were burned down, lie close to the Bulgarian border about half way between Salonika and Pristina, and these villages were burned around October 20, 1944, according to army records.

      The commander of a unit of the 22nd German Division, Captain Egberts, who seems to have given orders for this event, was convicted to death and executed in Belgrade in 1948.

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c) The testimony against me on this incident supposedly came from two persons: a convicted war criminal, "Eckbert Hilker", whom not a single member of the surviving officers and staff of Arsakli including the personnel administrator, Mr. Kaupe, can remember, and who does not appear on any staff lists we have seen to date; and on the testimony by a Mr. Johann Mayer. The latter was not, as stated, my subordinate, and not in the I c department. According to information I have unearthed in the meanwhile, he became personnel administrator succeding the above mentioned Mr. Kaupe in July of 1944, shortly before I went on wedding leave to Austria. In the one month in Arsakli between my return from wedding leave in the middle of September and the beginning of withdrawal from Arsakli in mid October 1944, I do not remember having ever seen him. He could not even have seen me at Stip and Kozane, even if I had not relocated by plane to Mitrovica, since these villages were not even on the route of withdrawal of the other staff units which travelled by truck rather than by plane. One possible explanation for this fictitious testimony could be the fact that Mr. Mayer, according to former friends of his, became a war prisoner of Jugoslavia, cooperated with them and then became a prison camp functionary, being released only with the last group of prisoners on January 15, 1949. This testimony has not yet been verified; also, there is evidence that Mr. Mayer's post-war record supposedly includes a series of trials for embezzlement of federal funds and libel.

9. Finally, it is claimed that I may have something to hide in using the phrase "transfer to the region of Trieste" in describing my last days in the war.I had nothing to hide then and have nothing to hide today:

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I was ordonance officer of the Heeresgruppe E, the Balkan army originally stationed in Greece, also during that army's retreat as of October 1944 until April 1945. At that time, when the staff pulled out of the city of Agram, I received orders to join an infantry division in the area of Trieste. Witnesses can definitely remember me still being with the staff on 20 April 1945, so the departure must have been thereafter. At that time, during the last weeks of the war, many officers and soldiers assigned to staff-positions were transferred to army-units, including men such as I, who had formerly been declared unfit for combat-duty.

As can be reconstructed from the military maps and documents of the time, it was by then no longer possible to reach Trieste directly from Agram. I therefore proceeded north to the city of Klagenfurt in Carinthia to have my travel-papers confirmed. There, I again received instructions to proceed to Trieste via a different, more western route. Upon arriving north of Trieste, enemy lines had already passed that city, cutting off the infantry division to which I was to report. Thereupon, I proceeded north again to report my inability to reach the assigned unit; on this route, near the Carinthian city of Villach, the end of the war was announced, whereupon I marched on north into the Alpes to meet with my wife, shortly before mid-May 1945.

When I gave a brief description of my war duties in my book "In the Eye of the Storm" as well as in earlier books, I always emphazised only one key experience of those years which had dramatic impact on my future life: my injury in Russia under extreme winter war-time conditions, after which I was saved by an unknown comrade, who pulled me out of the battle-zone for days on a sleigh; surviving all this was unbelievably good fortune, and this was the reason that I was subsequently declared unfit for combat duty and was thereafter able to finish my law studies through a series of leaves from the army. There were no other assignments than

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ordonance service and interpreting duties, which I did not feel worthwhile reporting, just as much as I did not elaborate on my service in the Sudetenland and in France, which for my unit saw practically no combat action.

Had I ever imagined the campaign which has been fabricated from this chain of "non-events", you can be assured that I would have acted differently. Still, I am confident that many men with war-time experiences will understand me when I say that I was never keen on expanding on war-time stories.

10. In order to set the record straight on all accounts, I state that Mr. Singer did not say the truth about me in the following point:

Mr. Singer claimed, that I had admitted being a Nazi - the contrary is true: as evidenced by documentation, I was neither a member of the Nazi-party (NSDAP) nor of the brown-shirts (SA), nor of the NS-Student's-Union.

It is true, however, that I participated in riding exercises of a riding group at the Vienna Consular Academy and in a few evening discussions of the Student's Union between 1938 and 1939, without ever becoming a member of those organizations due to my being draftet into the army, first for a few weeks in the fall of 1938 and then, permanently, in the fall 1939. It was by these odd participations that I consciously avoided becoming a member of these organizations which was normally required as precondition for studying at Higher Schools of Eductaion in those days.

From the documents brought forth to prove this point, I wish to mention only one: a confidential political evaluation of myself by the Nazi Provincial Governor of Lower Austria from 1940 has surfaced, evaluating me as politacally unreliable

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in the terms of the national-socialistic movement and not ever mentioning these alleged memberships. This is ample proof of the fact that there were no such memberships.

In conclusion, it is proven that all the insinuations, allegations and accusations brought forth against me have, as Mr. Wiesenthal confirmed, proven without substance. The materials brought forth against me have to be considered irrelevant to these claims. In the middle of an election campaign, it has been a difficult and time-consuming task to clarify this, especially since it could have seriously impeded my aim to carry on a constructive, fair and unemotional political discussion.

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APPENDIX 3

Report Submitted by Gerhard Waldheim on the Military Curriculum of Dr. Kurt Waldheim, 1936–1945

Since 1945, Dr. Kurt Waldheims' background and service record during the Second World War have, among other, been scrutinized by the following authorities without any indication of an affiliation with the national socialist movement or of any participation in actions against conventions governing the conduct of warfare or against human rights:

1945:	Austrian Security Office; Foreign Ministry upon employment in the federal service.
1948:	French authorities upon transfer to Austria's diplomatic-mission in Paris.
1955:	presumably: US authorities upon transfer to New York as Austria's U.N. observer.
1968:	presumably: Austrian authorities upon appointment to the Cabinet as Federal Minister of Foreign Affairs.
1970/71:	Upon candidacy for the Austrian Federal Presidency.
1971:	by superpowers during candidacy for office of the Secretary General of the United Nations.
1985/86:	Renewed, encompassing investigation upon candidacy for the Austrian Federal Presidency reveals no membership in NSDAP, SA, or NS-Studentenbund and no participation in any actions violating the conventions on the conduct of Warfare or against human rights.

These repeated investigations by Austrian and foreign authorities have resulted in an unconditional clearance of Dr. Waldheim with regard to all allegations in reference to the national socialist era.

These results make it difficult to understand that doubts are still voiced by certain groups about Dr. Waldheim's record during World War II, and especially in the Balkans. In light of clear statements on these matters by Dr. Waldheim from the outset, which have time and again proven correct, such allegations seem absurd. This point ist further underlined by the fact that, following his injury in December 1941, Dr. Waldheim was declared unfit for combat duty ("N.K.V.") in 1942, and therefore could not and did not participate in combat duty thereafter.

In order to end such speculations, the following military curriculum is presented as the result of several weeks of research, giving as many details as possible after well over 40 years. It is based on the copy of the basic military record book, information by former companions, letters, notes and photographs, as well as research with several authorities and pertinent literature.

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RECORD OF MILITARY SERVICE
Dr. Kurt Waldheim

1936 / 1937	Austrian Federal Army, R.O.T.C.-Year, Dragon Regiment 1, Stockerau, Province of Lower Austria.
Summer/ Autumn 1938:	Cavalry Academy, Non-Commissioned Reserve Officer; later Calvalry Regiment 11 Stockerau.
	Occupation of the Sudetenland/ 4th Squadron of the Cavalry Regiment 11; Reserve Officer Cadet; Demobilization. Continuation of studies.
August/Nov. 1939:	Officer Cadet Course, Krampnitz Cavalry Academy near Berlin, while belonging to the Mounted Reconnaissance Squadron (A.A. 45). Returns to Stockerau during the second half of October (accordingly absent from A.A. 45 during the Polish campaign); thereafter:
	Cavalry Reserve Section 11, Stockerau; thereafter once again A.A. 45.
End of Dec. 1939:	Leave until mid' January 1940, followed by mobilization in Stockerau.
	Study leave (from mid' February to mid' March 1940); subsequently, return to A.A. 45; mobilization for campaign in the West (location: Hesse).
May/June 1940:	Campaign in France with A.A. 45; Mounted Reconnaissance Squadron saw no combat action; remained in the region of Etreux, later moved to the area of Boulogne-sur-Mer.
August 1940:	Senior NCO/A.A. 45; subsequently, leave until mid' September

All date references are understood as approximate references.

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December 1940: Lieutenant/1st platoon, A.A. 45; thereafter study leave from mid' January till mid' February 1941; thereafter, return to France.

Spring 1941: Moves with A.A. 45 by train from France to the Eastern front; from June - Dec. 1941 with A.A. 45 to the Orel bend via Brest-Litovsk.

Mid' Dec. 1941: Wounded near Orel, field hospital. Transferred to war hospital at Frankfurt/Oder.

Transferred to Army Hospital, Vienna 19, Rudolfinergasse; Beginning of March 1942: discharged from hospital and registered with Cavalry Reserve Section 11 - Stockerau.
Followed by 1 month of convalescent leave and treatment as an outpatient.

Declared unfit for front duty ("N.K.V.").

April 1942: Transferred to the Balkans to a staff of the Army High command 12; via Belgrade, assignment to "Combat Group West Bosnia" (Banja Luka) as interpreter, followed by immediate assignment to the Italian Montain Infantry Division "Pusteria" in Pljvlje, Montenegro, as interpreter and later as liaison officer.

Summer 1942: Assigned as interpreter with AHC 12 to Arsakli, Greece.

As of mid' November 1942: Study leave; work on dissertation (in between: promoted to the rank of Senior Lieutenant as of Dec. 1942

April 1943: Returns to staff of AHC 12, now staff of Army Group E, in Arsakli; duty as Third Ordonance officer of the I c, with periodic assignments as interpreter for Italian, e.g. in Tirana, Athens, Podgorica.

Mid' Nov. to end of 1943: Leave to Baden near vienna; work on dissertation; return to Arsakli, staff of Army Group E, activities unchanged.

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From end of February to mid' April 1944:	Special leave - Army Recuperation Center Semmering; completes dissertation. Dissertation accepted by Univ. Prof. Verdross; Graduation to "Doctor of Jurisprudence".
Mid' April 1944:	Returns to staff of Army Group E at Arsakli; duty as Third Ordonance Officer of the I c.
Mid' August 1944:	Leave to marry. In Austria. Married on 19th August 1944; return to staff of Army Group E at Arsakli in mid' Sept. 1944; activities unchanged.
Mid' Oct. 1944:	Transfer with the staff of Army Group E to the vicinity of Mitrovica by plane;
Mid' Nov. 1944:	Transfer with the staff of Army Group E to Sarajevo by plane; operations staff located outside the city.
2nd half of Januray until Feb. 1945:	Transfer with the staff of Army Group E to Nova Gradiska.
March 1945:	Transfar with the staff of Army Group E to Zagreb; duties unchanged; fusion of Army Groups E + F due to spatial coincidence of their areas of operation during withdrawl.
2nd half of April 1945:	Transfer from Z eb to an infantry division in the rea of greater Trieste; line of march via Klagenfurt, as direct link Zagreb-Trieste is no longer possible. Since this division was already surrounded by enemy troops upon arrival north of Trieste, returns to the area of Villach via Udine without combat engangement. Here, the end of the war was announced in the first half of May.
Beginning/mid' May 1945:	Proceeds from Villach (nthia) to Ramsau near Schladming (Province ot Styria) to meet his wife; Registration at the communal administration office of Ramsau.

All date references are understood as approximate references.

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